NASA Procedural Requirements

NPR 8800.15B
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COMPLIANCE IS MANDATORY

Real Estate Management Program

Responsible Office: Facilities Engineering and Real Property Division

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Preface

P.1 Purpose

a. This NASA Procedural Requirement (NPR) provides procedural requirements for National Aeronautics and Space Administration (NASA) personnel tasked with acquiring and managing real estate assets on NASA's behalf.

b. This NPR provides NASA property managers with a common set of requirements and uniform, orderly processes for meeting NASA's real property requirements. NASA's formal real property records include paper documents and their electronic equivalents. Each chapter of this NPR has a focus on a specific core process, including required documentation.

c. This NPR provides direction on the use of the NASA Real Property Management System (RPMS) electronic database, which facilitates accurate compilation, analysis, and reporting of real property assets and their utilization.

d. This NPR defines the roles, responsibilities, and relationships among key NASA personnel, including:

(1) Real Property Accountable Officers (RPAOs).

(2) Facilities Utilization Officers (FUOs).

(3) Center Directors.

(4) Director, NASA Management Office?Jet Propulsion Laboratory (JPL).

(5) Deputy Chief Financial Officer, Finance (DCFO (F)).

(6) Contracting Officer Technical Representatives (COTRs).

(7) Facility Project Managers (FPMs).

(8) Director, Facilities Engineering and Real Property (FERP) Division.

(9) Associate Administrator, Mission Support Directorate.

(10) Assistant Administrator, Strategic Infrastructure.

e. This NPR provides a guide to the required coordination among various NASA and other Federal offices in matters concerning real property management.

P.2 Applicability

a. This NPR is applicable to NASA Headquarters and NASA Centers, including component facilities and Technical and Service Support Centers.

b. This NPR applies to JPL, other contractors, grant recipients, or parties to agreements only to the extent specified or referenced in the appropriate contracts, grants, or agreements.

c. Real property matters involving international agreements shall be coordinated by the Director, FERP Division through the NASA Office of the General Counsel and the NASA Office of International and Interagency Relations. NASA Headquarters will coordinate with the Department of State as required.

d. The provisions of this NPR do not apply to properties leased by NASA within the District of Columbia, which are supervised by the General Services Administration (GSA).

e. A requirement in this NPR is identified by "shall," a good practice by "should," permission by "may" or "can," expected outcome or action by "will," and descriptive material by "is," "are," or another verb form of "to be."

P.3 Authority

a. 7 U.S.C. §2204b, (formerly Section 601 of the Rural Development Act of 1972 (RDA), as amended).

b. 16 U.S.C. §470 et seq., The National Historic Preservation Act of 1966, as amended.

c. 40 U.S.C. §521 et seq. and 40 U.S.C. §541 et seq., Sections 202 and 203 of the Federal Property and Administrative Services Act of 1949, as amended.

d. 40 U.S.C. §1314 (authorizing Federal agencies to grant easements under certain conditions).

e. 40 U.S.C. §3111, Approval of Sufficiency of Title Prior to Acquisition.

f. 42 U.S.C. §2473 (c), 2476a and 2459, Sections 203(c) and 207 of the National Aeronautics and Space Act of 1958, as amended.

g. 42 U.S.C. §2473d, Use of Abandoned and Underutilized Buildings, Grounds, and Facilities.

h. 42 U.S.C. §4601 et seq., Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs Act, as amended.

i. Pub. L. 104-106, Sections 5001-5603, the Information Technology Management Reform Act of 1996.

j. Pub. L. 108-7, Division K, Title IV, Section 418, Enhanced-Use Lease of Real Property Demonstration (codified as 42 U.S.C. §2459j).

k. Executive Order 13327, Federal Real Property Asset Management.

l. Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management.

m. 14 CFR, Parts 1204.501, 1204.503, and 1204.504, NASA regulations.

n. 14 CFR, Part 1208, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

o. 36 CFR, Part 800, Protection of Historic Properties.

p. 41 CFR, Parts 102.74, 102.75, 102.79, 102.83 General Services Administration, Federal Management Regulations.

q. 49 CFR, Part 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

r. NASA Policy Directive (NPD) 8800.14, Policy for Real Property Management.

P.4 Applicable Documents

a. Title 1 U.S.C. § 112 (b), The Case-Zablocki Act.

b. Title 31 U.S.C. § 1341, Anti-Deficiency Act.

c. Executive Order 12072, Federal Space Management.

d. Executive Order 13006, Locating Federal Facilities in Historical Property.

e. 22 CFR, Part 181, Regulations Implementing the Case-Zablocki Act.

f. OMB Circular A-11, Section 54?Rental Payments for Space and Land, and Appendix B?Scoring Lease-Purchases and Leases of Capital Assets.

g. NPD 1050.1, Authority to Enter into Space Act Agreements.

h. NPD 1360.2, Initiation and Development of International Cooperation in Space and Aeronautics Programs.

i. NPD 2190.1, NASA Export Control Program.

j. NPD 8500.1, NASA Environmental Management.

k. NPR 8580.1, Implementing the National Environmental Policy Act and Executive Order 12114.

l. NPR 8715.3, NASA General Safety Program Requirements.

m. NPR 8820.2, Facility Project Requirements.

n. NPR 9090.1, Reimbursable Agreements.

o. NPR 9250.1, Property, Plant, and Equipment and Operating Materials and Supplies.

p. NASA-STD-8719.7, Facility System Safety Guidebook.

q. NAII 1050-1, NASA Advisory Implementing Instruction, Space Act Agreements Guide.

r. NASA Desk Guide for Enhanced Use Leasing of Real Property.

s. NASA Business Case Guide for Facilities Projects.

t. NASA Federal Acquisition Regulations Supplement.

u. NASA Real Property Classification Guide.

v. Annual Guidance for Real Property Inventory Reporting, Federal Real Property Council (FRPC).

w. Federal Management Regulations (FMR), Subchapter C, Real Property.

x. General Services Administration (GSA) Regulation, FMR Bulletin 2007-B2, Placement of Commercial Antennas on Federal Property.

y. Engineering News-Record, a McGraw Hill publication.

P.5 Measurements/Verification

a. The following measures will be used to determine compliance with this NPR:

(1) The Triennial Physical Inventory, as detailed in Section 2.6.

(2) The Verification and Validation Plan of the Real Property Management System (RPMS), as detailed in Section 3.2.3.

(3) The Annual Utilization Review of NASA Real Property as detailed in Section 5.4.2.2.

P.6 Cancellation

a. NPR 8800.15A, Real Estate Management Program Implementation Manual,dated September 1, 1998.

b. NM 8800-82, NASA Interim Directive (NID): NASA Desk Guide for Enhanced Use Leasing of Real Property, dated October 19, 2009

/S/
Woodrow Whitlow, Jr.
Associate Administrator
Mission Support Directorate

Chapter 1. Stewardship of Real Property

1.1 Overview

1.1.1 Chapter 1 defines the following:

a. Principles of NASA Real Property.

b. The roles, relationships, and responsibilities of NASA personnel with real property responsibilities at various levels.

1.2 Guiding Principles of NASA Real Property Management

1.2.1 Real property under NASA authority shall be managed in accordance with the following principles, as articulated in NPD 8800.14:

a. NASA Centers shall manage their real property to ensure that it is available for use for assigned missions in accordance with statutory and regulatory requirements.

b. NASA Centers shall manage real property assets to ensure they are:

(1) Appropriate to the mission in size and type.

(2) Safe, secure, environmentally sound, and following Federal guiding principles for sustainability.

(3) Providing high-quality workplaces.

(4) Operating efficiently and effectively.

c. NASA Centers and real property occupants shall be good stewards of NASA property by maintaining it to the current standards.

d. NASA property shall be acquired and constructed in support of the NASA Strategic Plan and subordinate plans.

e. NASA shall operate and construct only the minimum facilities and infrastructure required to conduct NASA programs and meet national responsibilities. As such, NASA will continually assess real property needs against current infrastructure. Managers with real property responsibilities will seek alternatives to new construction wherever possible.

f. NASA Headquarters and NASA Center Managers shall identify, plan, and implement options to eliminate unnecessary real property through divestment, demolition, or other innovative programs.

g. NASA Headquarters and NASA Center Managers shall leverage the value of underutilized real property wherever possible, including seeking other beneficial uses of underutilized land and facilities, such as public/private partnerships, out-leasing, and similar innovative real property techniques.

1.2.2 NASA Headquarters and NASA Centers shall embrace the guiding principles established by the Federal Real Property Council (FRPC) that, in accordance with Executive Order (EO) 13327, Federal agencies ensure that real property assets support agency missions and strategic goals and that NASA:

a. Uses public and commercial benchmarks and best practices.

b. Employs life-cycle cost-benefit analysis.

c. Promotes full and appropriate utilization.

d. Disposes of unneeded assets.

e. Provides appropriate levels of investment in real property assets.

f. Accurately inventories and describes all assets.

g. Employs balanced performance measures.

h. Advances customer satisfaction.

i. Provides for safe, secure, and healthy workplaces.

1.3 Roles and Responsibilities of NASA Real Property Managers

1.3.1 NASA Mission Support Directorate, Office of Strategic Infrastructure, Facilities Engineering and Real Property (FERP) Division

a. The FERP Division in NASA's Mission Support Directorate, Office of Strategic Infrastructure, shall serve as the principal point of contact for real property activities and provide NASA-wide policies on Center management effectiveness.

b. The Assistant Administrator for Strategic Infrastructure shall serve as NASA's Senior Real Property Officer in accordance with EO 13327.

1.3.2 Center Directors and the Director, NASA Management Office?JPL

a. The Center Directors and the Director, NASA Management Office?JPL, are considered the "owners" of all real property associated with the Center and shall be responsible for:

(1) Appointing a Real Property Accountable Officer (RPAO) and ensuring that his/her work is performed in accordance with the requirements in this NPR.

(1) In consultation with the RPAO and other personnel:

(a) Assessing real property needs with respect to inventory.

(b) Approving and signing all requests pertaining to the acquisition of real property.

(c) Eliminating real property not required currently or in the foreseeable future through disposal or demolition.

(d) Leveraging the value of Center real property through initiatives and actions such as out-leasing underutilized real property.

b. The Center Director shall document appointment of the RPAO in writing and furnish copies to:

(1) The employee designated.

(2) The Center Financial Management Office responsible for maintaining general ledger control accounts of the property.

(3) NASA Headquarters, FERP Division.

c. Center Directors may designate two senior managers to sign real estate documents and letters related to in-lease and out-lease, permits, easements, and licenses. Designations of signing authority shall be made by the Center Director in writing to the Director, FERP Division. The following text will be used verbatim in the memorandum:

"Pursuant to Title 14, Part 1204, Subpart 5, Sections 1204.504 and 1204.503 of the Code of Federal Regulations, NASA Policy Directive 8800.14[current version], Policy for Real Property Management and NASA Procedural Requirements 8800.15[current version], Real Estate Management Program, I hereby redelegate my authority to enter into leases, permits, easements, and licenses in real property under the supervision and management of this Center to [name and position of individual]. This redelegation supersedes all other Real Property delegations/redelegations of Authority for [Center name]. The individual receiving this authority may not redelegate said authority."

d. If the Assistant Administrator for Strategic Infrastructure or the Director, FERP Division has delegated authority to a Center Director for a specific real estate action, the Center Director may enter into the specified agreement without further concurrence or approval. A copy of the final agreement shall be forwarded to the FERP Division.

e. Center Directors and senior managers at each Center should be fully aware of all real property agreements. To accomplish the above, the Center Director shall:

(1) Require that the Center RPAO be party to and support coordination of all real property agreements from concept to finalization. The RPAO should be represented in all meetings pertaining to real property agreements.

(2) Ensure that Program and/or Project Offices coordinate their requirements for space, including leased space, with the Center RPAO, who will assist with the approval process for real property agreements.

(3) Advise the NASA Office of Strategic Infrastructure of any Center real property requirements as early as possible.

1.3.3 Real Property Accountable Officers

a. The RPAO shall be responsible for:

(1) Maintaining detailed inventory records for all real property under the management control of the NASA Center in the RPMS, which is part of the overall NASA enterprise system maintained in SAP (Systems Applications and Products).

(3) Establishing controls to ensure that RPMS records are kept current, including processes to support recording of facility construction and modification and maintaining the Center's real property record files on all assets including leases.

(4) Uploading data into the RPMS by November 15 of each year. These data elements are reported to the General Services Administration (GSA) in the Federal Real Property Profile (FRPP). The data elements to be uploaded are: Utilization level, historical status, mission dependency, and operations and maintenance costs. Operations and maintenance costs are provided to the RPAO by support organizations at the Center. Historical status, deferred maintenance, and mission dependency are uploaded by the FERP Division directly from other databases.

(5) Advising and assisting other Center personnel regarding real property accountability matters.

(6) Completing the Triennial Physical Inventory (see Section 2.6) of the Center real property to

verify the accuracy of the information and data in the RPMS.

(7) Preparing RPMS management reports required by local management and NASA policy.

(8) Developing and sponsoring the establishment of Center guidance and procedures as required to ensure compliance with applicable laws, regulations, and NASA policies.

(9) Maintaining contact and coordinating with the following offices and managers regarding real property accountable transactions and supporting documents:

(a) FERP Division of NASA Headquarters.

(b) Other NASA Centers.

(c) The Center's Facilities Operations and Construction Office.

(d) The Center Environmental Office, Center Safety and Mission Assurance Office, and Center Security Office.

(e) The Historic Preservation Officer.

(f) Other Government agency representatives, as required.

(g) The Center Deputy Chief Financial Officer, Finance DCFO (F).

(h) The Facilities Utilization Officer (FUO).

(i) The Center Office of Chief Counsel.

(10) Performing quarterly reconciliations of real property records with the Center DCFO (F), as described in Section 2.2.3.1 and elsewhere in this NPR.

(11) Collecting from the Facility Project Manager (FPM) and the Contracting Officer's Technical Representative (COTR) documentation necessary for the real property recording discussed in Section 2.4 of this NPR, as well as all documentation concerning transfers of title to NASA. Documents to be provided include, but are not limited to:

(a) Design and other construction drawings.

(b) Facility acceptance documents.

(c) Final payment records.

(12) Coordinating the collection and uploading of operations and maintenance data to the FRPP as required by EO 13327 and in accordance with the guidelines established under Section 3.2.2 of this NPR.

(13) Participating in deferred-maintenance (DM) assessments, including evaluating recommendations in the RPMS Report and updating the RPMS, as appropriate.

(14) Conducting or participating in physical inspections of all real property ready for transfer or acceptance to ensure that all collateral equipment being accepted or transferred is accounted for.

(15) Developing internal procedures to ensure that all property transaction documents affecting real property records are processed in accordance with the provisions of this NPR.

1.3.4 Center Deputy Chief Financial Officer - Finance Responsibilities

a. The Center DCFO (F) shall be responsible for:

(1) Maintaining independent control of the real property-related data, as required by the NASA accounting system.

(2) In coordination with the Center RPAO, reconciling capitalized real property assets with financial accounting records on a quarterly basis as described in Section 2.2.3.1.

1.3.5 Facility Project Manager (FPM) Responsibilities

a. The FPM shall be responsible for:

(1) Providing documentation on real property projects and their completion to the RPAO.

(2) Completing and forwarding NASA Form 1046 (Notification of Real Property Transfer) to the RPAO within 30 days after title passes to NASA.

(3) Making a determination on the capitalization of real property projects, both new construction (including relocatable buildings) or repair and modification.

(4) In consultation with the Center DCFO (F) and the RPAO, completing NASA Form 1739, Alternative Future Use (in the case of JPL, the equivalent form authorized by the NASA OCFO), for all facility projects and forwarding the completed forms to Center DCFO (F) and the RPAO.

Chapter 2. Physical Accountability Recording and Reporting

2.1 Overview

2.1.1 Chapter 2 defines the following:

a. NASA requirements for developing and maintaining real property record files for each real property asset, including financial data and records.

b. Coordination of records management and data with other organizations within NASA, including Center and Headquarters OCFOs, and Center design and construction offices.

c. The general ledger accounts for reporting real property and the classification of real property into specific categories tied to the general ledger accounts.

d. The criteria for capitalizing NASA real property and the various forms, including Form 1046, used in communicating real property acceptance, status, and values and verification of the data transmitted.

2.2 Real Property Accountability

2.2.1 Establishment of Real Property Record Files

2.2.1.1 Real property record files shall be established for each new asset. The asset will be classified according to classifications discussed in Section 2.3 of this NPR. Copies of documents required by this NPR pertaining to real estate transactions, such as acquisition, disposal, leases, enhanced-use leases (EULs), and permits should be included in the files. The required documents are listed in Section 2.5 of this NPR.

2.2.1.2 Every asset that meets the criteria for classification in Section 2.2.2.1 and has an acquisition cost of $5,000 or more shall be entered into the RPMS in consultation with the Center DCFO (F). The $5,000 threshold is the NASA threshold for recording individual real property assets as well as individual modifications to NASA real property. There is a separate and distinct threshold for including individual real property assets as well as individual modifications to NASA real property in capitalization values and reports provided to the OCFO. Capitalization is further discussed in Section 2.2.2.4.

2.2.1.3 All Centers shall maintain accurate, up-to-date records on all NASA-owned and controlled real property in the RPMS. Records should include data on the following:

a. Acquisitions by purchase, condemnation, donation, or transfer from another Federal agency.

b. Acquisitions by construction with a cost greater than $5,000.

c. Acquisitions by lease, permit, license, or easement.

d. Disposals by sale or transfer.

e. Demolition.

f. Improvements to the asset with a cost greater than $5,000.

g. Removal or other action that reduces capacity or removes collateral equipment with a cost greater than $5,000.

2.2.1.4 If the real property asset is acquired through construction, transfer, or purchase and it includes a building with utilities and other structures serving the building, the building shall be entered as an individual asset in the RPMS. The other parts, which may include utilities, roads, sidewalks, and parking areas, will be entered under those classifications. The dividing line between the building and the other assets will be an imaginary 5-foot line outside of the building. This line defines the building's footprint, and the costs inside the 5-foot line are accountable to the building. The costs for the other parts should be accounted for in the appropriate classification. This concept is also described in NPR 8820.2, Section C.2.6.IV.c.

2.2.1.5 NASA policies for recording real property records are based on the principles outlined by the Federal Accounting Standards Advisory Board (FASAB), as set forth in NPR 9250.1.

2.2.2 Maintenance of Real Property Record Files

2.2.2.1 All real property under the management control of NASA Centers shall be recorded in the RPMS.

2.2.2.2 Paper copies may be printed, and all executable copies shall be held by the RPAO in the record files.

2.2.2.3 The asset records in the RPMS shall be updated, and real property record files should be updated, with supporting documents when the following events occur:

a. Acquisition. The acquisition of real property or interests therein, including leases and permits, requires an addition to the real property records. Real property record files shall be maintained on a current basis by posting changes to the RPMS when interest in real property is gained through construction, purchase, in-grant, lease, or lesser interest. The event is considered to have been completed when an authorized Government official accepts the property for NASA.

b. Withdrawal. Withdrawal of land or assets from public use for NASA use requires a change to the real property records.

c. Disposal. The disposal by sale or transfer of a real property item requires a change in status and a negative adjustment in the real property records when the transaction has been completed.

d. Demolition. The demolition or deconstruction of real property requires a change in status and a negative adjustment in the real property records when the project has been completed. The loss shall be recorded when a real property is destroyed by fire, explosion, natural disaster, or a similar destructive event.

e. New Construction. Completion of construction of a new facility requires an addition to the real property records. This addition shall be made at the time of beneficial occupancy (see Section 2.4.4.4.c), physical or financial completion of a facility, or when title is vested in NASA, whichever occurs first.

f. Addition, Extension, or Expansion of an Existing Facility. A physical increase to a facility that adds to its overall dimensions requires an addition to the real property records when the total cost is $5,000 or greater.

g. Alterations and Modifications, Including Removals. Work required to alter or modify the physical characteristics of an existing facility so that it may be adapted or utilized for the mission requires a change to the real property records when there is an increase or decrease of value by $5,000 or greater. This includes alterations and use modifications carried out by a tenant under an EUL or other out-lease.

h. Change of Use. If alterations or modifications change the predominant use of a facility, as determined by the use with the most square footage occupied, the RPAO shall make the appropriate changes to the classification code in the RPMS.

i. Installation, Removal, or Replacement of Collateral Equipment. The installation or removal of a complete item of collateral equipment requires an adjustment to the real property records when the increase or decrease in value is $5,000 or greater. The replacement of an installed property item requires both debit and credit adjustment to the real property records when the acquisition cost of either the item removed or the replacement item is $5,000 or greater; installation costs are to be included in these instances. Noncollateral equipment is not carried in the RPMS.

2.2.2.4 Rules for capitalization of real property can be found in NPR 9250.1, Chapter 2. These rules are part of the RPMS and calculations. The RPAO should be familiar with these capitalization rules. Capitalization of NASA real property follows the requirements of NPR 9250.1. Capitalization has a threshold of $100,000, as set forth in NPR 9250.1. Capitalized values shall include all costs incurred to bring Property, Plant, and Equipment items (PP&E) to a form and location suitable for its intended use?that is, the total cost to NASA. For example, qualifying costs may include, but are not limited to:

a. Amounts paid to vendors or contractors, including fees.

b. Labor and other direct or indirect production costs (for assets produced or constructed).

c. Engineering, architectural, and other outside services for designs, plans, specifications, and surveys.

d. Acquisition and preparation costs of buildings and other facilities.

e. Fixed equipment and related installation costs required for activities in a building or facility.

f. Direct costs of inspection, supervision, and administration of construction contracts and construction work.

2.2.2.5 Centers shall record all in-grants of real property from either private sources or other governmental sources, including Federal property, in the RPMS. This applies to all in-grants, whether leases, permits, licenses, agreements, or easements.

a. NASA-funded improvements made to such property that meet the capitalization criteria, as set forth in NPR 9250.1, Chapter 2, shall be recorded as leasehold improvements in accordance with Section 2.4.6.8.

b. If an in-grant is from another Federal agency, it must be recorded as an in-grant rather than a transfer of ownership to avoid duplicate reporting to GSA in the FRPP and to avoid duplicate reporting to the U.S. Treasury in financial statements.

2.2.2.6 The RPAO shall annotate and document real property records in all cases involving out-grants for the use of NASA property by other parties. Real property so granted will, during the term of the grant, be considered part of the NASA-owned real property and will be recorded in the

RPMS as such.

2.2.2.7 The RPAO shall annotate and document real property records in all cases involving transfer of responsibility for part or all of a facility, whether by contract, lease, Space Act Agreement (SAA) or other means, to contractors or other non-Federal parties where the term of the transfer is for 1 year or longer.

2.2.3 Coordination of Records within NASA

2.2.3.1 The Center DCFO (F) and the RPAO shall maintain close coordination to ensure that records for capitalized real property assets can be validated. Pursuant to NPR 9250.1, Chapter 2, recorded balances for capitalized real property are to be reconciled with the financial accounts on a quarterly basis or more frequently if required. The NASA OCFO requires monthly consolidation of capitalized real property.

2.2.3.2 The Facility Construction Office and the RPAO shall maintain close coordination and establish processes to transmit information to the RPAO so that the real property records are up to date and accurately maintained. The RPAO must have access to the supporting documents, such as maps, plans, blueprints, drawings, specifications, and other documents to maintain the real property record files because they serve as supporting documentation for internal and external reviews of real property records.

2.2.3.3 Coordination shall be maintained between the Facility Project Manager (FPM), the COTR, the RPAO, and the Financial Management Office (FMO) or Fiscal Officer (FO) to ensure that the required documentation is provided so that the respective record balances for capitalized real property are in agreement. NPR 9250.1 prescribes the criteria and procedures for closing facility project costs to the fixed asset general ledger accounts.

2.2.4 Accounting Coordination for Construction Projects

2.2.4.1 Center DCFO (F)s in consultation with RPAOs shall identify costs to be capitalized and maintain financial records for each capital facility project in progress.

a. Center DCFO (F)s and the NASA RPAO shall provide support and guidance to the FPM in completing NASA Form 1739, Alternative Future Use (in the case of JPL, the equivalent form authorized by the NASA OCFO), for all facility projects .

b. This includes all costs incurred to acquire and bring a real property asset to a state suitable for its intended use, which, when complete, shall be provided to the RPAO for recording in the RPMS.

c. When construction of a real property asset is completed, the total cost of the item is transferred from the work-in-progress account to the appropriate financial class code. This addition shall be made at the time of beneficial occupancy, physical or financial completion of a facility, or when title is vested in NASA, whichever occurs first when meeting capitalization guidelines.

2.2.5 Recording Real Property Expenditures

2.2.5.1 Each real property acquisition, addition, improvement, alteration, rehabilitation, or replacement shall be treated as a single event.

2.2.5.2 The RPAO shall do the following when recording real property:

a. Record all costs incurred in relation to the event, regardless of when they are paid in the RPMS, making certain they are reported in the applicable financial class code (different from the real property classification code).

b. Use the total cost of each event to determine whether it meets the capitalization criteria in NPR 9250.1, Chapter 2, regardless of when payment was made.

c. Individual sections or additions of new construction or improvements to existing real property, for which individual costs are less than $100,000, may need to be capitalized if those sections or additions meet capitalization requirements as a sections or additions of a larger capitalized asset.

2.2.6 General Ledger Accounts

2.2.6.1 The RPAO shall confer with the Center DCFO (F) property accountant to ensure the appropriate general ledger account is used.

2.2.6.2 Real property shall be classified under the general ledger accounts established in NPR 9250.1, Chapter 3. The primary financial class codes used for real property are the following:

a. 1711 Land.

b. 1712 Improvements to Land.

c. 1730 Buildings.

d. 1740 Other Structures and Facilities.

e. 1820 Leasehold Improvements.

2.2.6.3 Other general ledger accounts may be used for special circumstances. All NASA real estate assets are assigned a general ledger account when the classification of the asset is determined. Both the general ledger account and the classification stay with the asset throughout its life unless the use of the asset changes.

2.2.6.4 If the use of an asset changes by more than 50 percent from its original classification, its classification code shall be changed to reflect the asset's new use.

2.3 Classification and Property Value

2.3.1 For purposes of general classification, NASA real property assets shall be classified according to the following five categories, which are consistent with the GSA Real Property Reporting System and the NASA Financial Accounting System (For specific guidance on classifying land and capitalizing cost, refer to NPR 9250.1):

a. Land. This includes all property acquired on a fee-simple basis, including mineral and water rights.

b. Improvements to Land. This includes nonpermanent, depreciable improvements to land used in general operations, as well as landscaping and earthwork.

c. Buildings. This includes buildings and improvements to buildings, as well as all equipment that is built in, affixed to, or installed in such a manner that the installation cost, including special foundations or unique utilities for services, or the facility restoration cost after removal, is substantial.

d. Other Structures and Facilities. This includes construction and improvements of structures and facilities such as:

(1) Airfield pavements.

(2) Harbor and port facilities.

(3) Power production facilities and distribution systems.

(4) Research and development facilities other than buildings.

(5) Roads and bridges.

(6) Any type of built-in equipment installed in such a manner that the installation cost, including special foundations, unique utilities or services, or the facility restoration cost after removal is substantial.

e. Leasehold Improvements. This includes improvements made by or on behalf of NASA to:

(1) Leased land, buildings, and other facilities.

(2) Easements and rights of way.

2.3.2 Capitalization Criteria

2.3.2.1 In real property accounting, it is crucial to distinguish capital expenses from ordinary operating expenses. Capital expenses, such as expenditures for land, buildings, and improvements, can be defined generally as those that contribute some lasting value or add value to an enterprise. In contrast, operating expenses, such as routine maintenance, cleaning, and repairs, do not add value to the asset. Procedures for recording new assets or modifying existing asset records can be found in Section 2.4 of this NPR.

2.3.2.2 In accordance with NPR 9250.1, Chapter 2, NASA shall capitalize individual items in PP&E that meet all of the following criteria:

a. Has a unit acquisition cost of $100,000 or more.

b. Has an estimated useful life of 2 years or more.

c. Is not intended for sale in the ordinary course of operations.

d. Is acquired or constructed with the intention of being used or being available for use by NASA.

e. Has an alternative future use.

2.3.2.3 Capital improvements or modifications are changes to existing real property that cost $100,000 or more and extend the useful life of the real property by 2 years or more, that enlarge or improve its capacity, or that otherwise upgrade it to serve needs different from or significantly greater than those originally intended.

2.3.2.4 Accounting for certain events may require capitalizing costs of one or more components. RPAOs, in consultation with the Center DCFO (F), shall determine whether component costs should be capitalized separately or as an aggregated sum.

a. If an item as originally installed is an aggregate of components that can stand alone and are severable, the component costs shall be tested individually against the capitalization criteria. Only component costs that meet all of the criteria are to be capitalized.

b. If an item as originally installed is an aggregate of components that cannot stand alone and are not severable, the aggregate sum of the components shall be tested against the capitalization criteria. Only aggregate costs of items that meet all the criteria are to be capitalized.

c. Individual sections or additions of new construction or improvements to existing real property, for which individual costs are less than $100,000, may need to be capitalized if those sections or additions meet capitalization requirements as sections or additions of a larger capitalized asset.

2.3.2.5 The cost of facilities constructed by or through foreign governments or in foreign countries under NASA contracts shall be capitalized in accordance with the title rights contained in formal agreements.

2.3.2.6 NASA's capitalization criteria (NPR 9250.1, Chapter 2) differ from recording thresholds used for real property management. To ensure data efficacy, the Center DCFO (F) shall maintain independent control of the data in the NASA accounting system.

2.3.3 Establishing the Book Value of a Property

2.3.3.1 The book value of a property is the original cost of the property, as recorded in the RPMS, plus modifications, where appropriate, for improvements, removals, or other actions of $5,000 or more. Qualifying modifications may include those made to land and buildings and the installation or removal of postconstruction collateral equipment. Only book values that meet capitalization requirements of NPR 9250.1 are carried forward into NASA financial records.

2.3.4 Determining Current Replacement Value of a Facility

2.3.4.1 The current replacement value (CRV) of a facility is the total escalated value of the original cost in present-day dollars. The CRV is not an estimated cost to rebuild or replace the facility but is the book value of the asset as escalated by the Building Cost Index (BCI) found in the Engineering News-Record, a McGraw Hill publication.

2.3.4.2 Following the annual Facilities Utilization Review processes (see Chapter 5 of this NPR), a change in status from Active to an Inactive status (Standby, Mothballed, or Abandoned) for a portion or the entirety of a facility shall have an attendant proportional reduction in CRV. For example, if the status of a fully utilized facility changes to 50-percent inactive, its CRV will be reduced by half. A facility that is 100-percent inactive has a CRV of $0. The RPAO enters the percent change, and the RPMS automatically updates the CRV.

2.4 Real Property Records

2.4.1 NASA Facility Classification Codes

2.4.1.1 The NASA Facility Classification Coding System provides uniform coding for detailed classification of NASA real property. The NASA Facility Classification Coding System is a hierarchical scheme of real property types and functions that serves as the framework for identifying, categorizing, and analyzing NASA's inventory of land and facilities around the world. The primary intent of the NASA Facility Classification Coding System is to classify facilities according to the function they serve, as opposed to the process they support.

2.4.1.2 The NASA Real Property Classification Guide provides details of the NASA Classification Coding System and a cross-reference of the NASA Facility Classification Codes to the GSA usage codes and to NASA general ledger accounts (see Section 2.2.6.1).

2.4.2 NASA Real Property Management System

2.4.2.1 The RPMS is the official NASA-wide electronic data system for real property. The RPMS is an automated system for maintaining and reporting Center real property data. The data forms, codes, and procedures used in the RPMS conform to those required by this NPR. At the convenience and discretion of the individual RPAO, printed outputs from the RPMS can be used instead of printed forms. Access to the RPMS and current information on its functionality can be obtained from the FERP Division.

2.4.2.2 All real property data for NASA-owned, -leased, and -controlled real property with an acquisition cost of $5,000 or more shall be entered to the RPMS.

2.4.2.3 The following forms are required and can be generated in the RPMS. No paper copies of these forms are required in the real property record files. Note that the NASA property record card is equivalent to NASA Forms 845, 846, 846A, and 847. This document will refer to these forms as the "NASA Property Record Card."

a. NASA Form 845 Real Property Record-Buildings (also used for Land).

b. NASA Form 845A Transactions Completed-Additions/Deletions (Continuation Sheet for NASA Form 845).

c. NASA Form 846 Real Property Record-Other Structures and Facilities.

d. NASA Form 846A Transactions Completed-Additions/Deletions (Continuation Sheet for NASA Form 846).

e. NASA Form 847 Real Property Record-Leasehold Improvements.

2.4.3 Paper Records and Forms

2.4.3.1 The following forms are not part of the RPMS but shall be used when appropriate.

a. NASA Form 1046 Notification of NASA Real Property Transaction, Including Transfer Between Agencies.

b. Department of Defense (DoD) DD Form 1354 Transfer and Acceptance of Military Real Property.

2.4.3.2 NASA Form 1046 and DD Form 1354, Transfer and Acceptance of Real Property

2.4.3.2.1 The Facility Project Manager (FPM) and COTR shall be responsible for delivering all documentation necessary for recording real property data in the RPMS to the Center RPAO for the following actions:

a. Acquisition.

b. Disposal.

c. New construction.

d. Addition, extension, or expansion of an existing facility.

e. Alterations and modifications.

f. Demolition.

2.4.3.2.2 All acquisitions, whether by purchase, transfer from other agencies, donation, or other means, must be fully documented. The following documents, at a minimum and when applicable, shall be available to support the changes in asset value or physical attributes as a result of new acquisition or capital improvements and are to be provided for the actions listed in Section 2.4.3.2.1.a through f:

a. Final bid documents.

b. Contract or other legal instrument (i.e., lease).

c. Contract modifications or change orders.

d. Signed acceptance document by NASA.

e. Material inspection and receiving report.

f. Invoices or other approved cost reports to support PP&E purchased and amount accumulated in work in progress (WIP) accounts.

g. Transfer documents for transferred assets.

h. Appraisal results for purchased and donated assets.

2.4.3.2.3 One of two forms is required for transfers and acceptance of real property to the NASA record files and accounting system: NASA Form 1046 or DD Form 1354.

a. Use NASA Form 1046 for documenting transfers of real property:

(1) Into and out of NASA (other than DoD).

(2) Between NASA Centers.

(3) Between NASA and other Government agencies (other than DoD).

(4) In transactions with contractors.

b. Use DD Form 1354 for documenting transfers of real property, including acquisitions, improvements, and collateral equipment, between NASA and a branch of DoD.

2.4.3.3 Signed copies of NASA Form 1046 and DD Form 1354 shall be held by the Center RPAO in the Real Property Record Files and forwarded to the Center DCFO (F).

2.4.4 NASA Form 1046 Notification Process

2.4.4.1 Upon acceptance of real property or work performed by a contractor or NASA personnel, the FPM or other designated NASA representative responsible for monitoring the acquisition or improvement shall, within 30 calendar days after title passes to NASA, complete and forward NASA Form 1046 to the RPAO. (Instructions for completing NASA Form 1046 are found in Appendix A of the NASA Facility Classification Guide.) The signed copy of NASA Form 1046 will be held by the RPAO in the Real Property Record Files.

2.4.4.2 When title to new construction or acceptance of capital improvements has been documented by an authorized NASA representative, it shall be annotated by the FPM or COTR in Remarks, Item 17, on NASA Form 1046. The transfer of title to new construction, capital improvements, and the like will be considered to have been passed to NASA when an authorized NASA representative has both of the following:

a. Certified in writing that all required contracted improvements have been accepted.

b. Approved all related invoices for payment.

2.4.4.3 In cases of acquisition or improvement involving the U.S. Army Corps of Engineers

(USACE), the Naval Facilities Engineering Command, and other DoD affiliates, the FPM or another NASA representative responsible for monitoring the event shall, prior to recommending acceptance by NASA, ensure that the data provided on the DD Form 1354 meets Center requirements for describing the work completed. The RPAO will hold the signed copy of the DD Form 1354 in the Real Property Record Files.

2.4.4.4 For acceptance of real property by NASA, there are three degrees of acceptance on NASA Form 1046.

a. Financial Completion gives complete ownership to NASA and custody of the property to the Center accepting the transfer. Financial Completion is to be used when the facility is complete and all bills have been paid. It shall be documented by the FPM or COTR with one of the following annotations to NASA Form 1046 or DD Form 1354:

(1) "Construction was in accordance with the plans and specifications."

(2) "All construction deficiencies noted have been corrected."

(3) "The construction agency or contractor acknowledges the listed deficiencies and assures corrective actions are within the limits of the contract."

b. Physical Completion differs from Financial Completion and is subject to any conditions stated on NASA Form 1046 or DD Form 1354. Physical Completion is used when Final payment has not been completed.

c. Beneficial Occupancy is a very limited acceptance granted when facilities are used by NASA, in whole or in part, before they have been fully completed, which may be due to either:

(1) Disagreement as to the existence of or need for correction of deficiencies.

(2) Lack of completion of system testing or checkout. 2.4.4.5 If initial acceptance is Physical Completion or Beneficial Occupancy, the RPAO shall later update the property record with an annotation of the property value when Financial Completion has occurred.

2.4.4.6 The FPM and Contracting Officers (COs) shall notify the RPAO when a project is complete for coordination of NASA Form 1046 for acceptance of the property by NASA.

2.4.4.7 The FPM or another appropriate NASA official shall provide written notification to the OCFO through the RPAO that acceptance has occurred.

2.4.4.8 When the actual/final cost of construction is ascertained, the FPM shall furnish a final cost of construction report (using NASA Form 1046) for payment to the RPAO.

2.4.4.9 All disposals or retirements shall be fully documented when real property is demolished or transferred. The following supporting documentation is required, as applicable, to provide an adequate audit trail for disposal of a real property asset:

a. Declaration of excess document.

b. Approval documentation (including disposal of land).

c. Original acquisition documents.

d. Legal instruments (such as deed or contract) to indicate legal obligation to dispose of an asset.

e. Document showing the disposal start date.

f. Receipt documentation.

g. Transfer documents for transferred assets or as otherwise stated.

2.4.4.9.1 The Center DCFO (F) shall be notified of the disposition of real estate.

2.4.5 NASA Form 1046 Verification Process

2.4.5.1 The FPM is responsible for preparing NASA Form 1046 Notification of Real Property Transfer. The FPM shall:

a. Research and verify all project costs to determine the total dollar value for the record.

b. Work with the Contracting Officer (CO) for review of and concurrence on NASA Form 1046.

c. Forward the verified NASA Form 1046 to the RPAO.

2.4.5.2 The RPAO shall review, validate, and make necessary corrections to the data submitted by the CO/FPM on NASA Form 1046. The RPAO will update the RPMS with the current quantitative, financial, and classification code data entered to a NASA Form 1046 and submit NASA Form 1046 to the Center DCFO (F).

2.4.5.2.1 The RPAO shall notify the FUO to ensure that necessary updates are reflected in the Facility Utilization System.

2.4.5.3 The Center DCFO (F) shall reconcile the RPMS increase/decrease reflected on a processed NASA Form 1046.

2.4.6 Property Value in RPMS

2.4.6.1 Real property costs for construction and improvements, including removal of collateral equipment, shall be recorded in the RPMS on the Property Value Tab.

2.4.6.2 The RPAO shall complete the property value in the RPMS on the asset NASA property record card.

2.4.6.3 The RPAO shall enter all transactions with a cost of $5,000 or more in the RPMS on the Property Value Tab. If the cost is less than $100,000, the transaction may not be a capital expenditure. If the cost is $100,000 or more and the transaction meets the other criteria for a capital transaction per Section 2.3.2.2, it is entered as a capital transaction.

a. Individual sections or additions of new construction or improvements to existing real property for which individual costs are less than $100,000 may need to be capitalized if those sections or additions meet capitalization requirements as sections or additions of a larger capitalized asset.

2.4.6.4 The RPAO shall enter a single event of construction or improvement at its full cost, including costs listed in Section 2.2.2.4 of this NPR.

2.4.6.5 Costs for acquisition of land shall be entered in the RPMS on the Property Value that is dedicated to the land acquisition.

2.4.6.5.1 Costs for improvements to acquired land (buildings or other structures) shall be entered on separate NASA Real Property Record Cards according to their classifications.

2.4.6.6 Improvements to a NASA facility made by a tenant of an out-grant have dollar value and, if transferred to NASA, are viewed as if NASA had purchased them. Therefore, if an out-grant allows the lessee to make improvements and imparts ownership of the improvements to NASA, their value shall be entered into the facility's real property record in the RPMS. The provisions of Sections 2.4.5.2 and 2.4.5.3 of this NPR apply when recording such improvements. Sections 6.5 and 7.9 also apply.

2.4.6.7 The costs for repair projects are not generally capitalized unless a project extends the useful life of a facility. This determination is made by the FPM and the Center DCFO (F). If repair project costs will be capitalized, this must be reported to the RPAO. Otherwise, costs associated with repair projects should not be added to the RPMS but, rather, accounted for as an expense.

2.4.6.8 Improvements made by NASA to property that NASA is leasing from another party shall be entered as "leasehold improvements" in the RPMS on the Property Value Tab.

2.4.6.8.1 The leasehold improvements, if capitalized, are recorded in the NASA financial system, while the lease of the property is not recorded in the financial system. However, the in-lease is recorded in the RPMS. The value of the leasehold improvements shall comply with the provisions of Sections 2.4.5.2 and 2.4.5.3 of this NPR.

2.4.6.8.2 The property name for the leasehold improvement on the Property Value Tab in the RPMS should reflect the name of the lease, e.g., "Leasehold Improvements to Farnsworth Building."

2.4.7 NASA Form 1509: Planning for Real Property Projects

2.4.7.1 To plan capital budgets effectively, proposed construction projects shall be managed in the NASA accounting process as follows:

a. In accordance with NPR 8820.2F, proposed construction projects shall be submitted at their inception to the OCFO, the RPAO, and the CMO.

b. The FPM shall notify the Center DCFO (F) and the RPAO of proposed projects during the PPBE submission period to ensure accuracy, completeness, and timeliness of real property information.

c. Proposed capital improvement projects are supported by NASA Form 1509. It is generally the FPM's responsibility to prepare the form, which is used when projected costs are $500,000 or greater.

d. The FPM, in consultation with the RPAO and the Center DCFO (F), shall submit a NASA Form 1739, Alternative Future Use Questionnaire, in accordance with NPR 9250.1, Chapter 1.

2.4.7.2 The RPAO shall meet with the Center DCFO (F) and FPM during the NASA Form 1509 process and preproject planning to ensure coordination of the project information.

2.4.7.3 The RPAO and the Center DCFO (F) should attend the Facility Utilization Review Board (FURB) and other project-planning meetings.

2.4.7.4 The FPM shall provide the OCFO and Center DCFO (F) with the details of approved projects using NASA Form 1509.

2.5 Maintenance of a Central Repository for Real Property Documents

2.5.1 The FERP Division is the central NASA office for maintaining documents regarding acquisition and disposal of land. The FERP Division does not maintain records of new construction or modifications on NASA-controlled properties. Documents on file with the FERP Division include:

a. Preliminary and final title opinions (and related papers) of the Attorney General of the United States.

b. Deeds.

c. Foreign acquisitions and disposals.

d. Federal land withdrawals for NASA use.

e. Reports of excess to GSA.

2.5.2 Centers shall record real property land acquisitions with the local County Recorder's Office. Centers shall maintain the original recorded documents and furnish the FERP Division with a copy.

2.5.3 The Director, FERP Division shall coordinate and approve all real property matters involving international locations with the Office of the General Counsel and, through them, the Office of International and Interagency Relations. NASA Headquarters will coordinate with the Department of State as required.

2.6 Triennial Physical Inventory

2.6.1 In accordance with OMB requirements and to ensure the accuracy of the data that NASA reports annually in the FRPP, each Center shall perform a physical inventory by visual inspection of all Center-managed real property every 3 years to ensure that each asset exists as described and is recorded accurately. At the completion of each cyclic inventory, the RPAO shall file a statement of the status of the inventory on each real property record card.

2.6.1.1 The RPAO shall make visual inspections to verify that Center assets are correctly recorded by class code and size and that any improvements or other changes to the assets on record have been accurately recorded. Detailed measurements other than those necessary to correct obvious errors need not be performed during inventories.

2.6.1.2 As the physical audit of an asset is completed, the RPAO shall update the RPMS with the inventory date and any adjustments made affecting the capitalized value.

2.6.1.3 Following the update of the RPMS based on the physical inventory, a summary record of all Center real property shall be downloaded from the RPMS, signed by the RPAO, and maintained as part of the Real Property Record File. The summary identifies all property inventoried by name and number, the date inventoried, and the value of adjustments resulting from the audit.

2.6.1.4 A copy of the signed summary record, together with a list of all adjustments, shall be provided to the Center DCFO (F).

Chapter 3. Reporting Requirements

3.1 Introduction

3.1.1 The submissions filed in accordance with chapter 3 of this NPR must

include all NASA-owned real property and real property leased from others relevant to the report. The data contained in these reports is used to fulfill both Congressional and regulatory agency reporting requirements; therefore, reports must be accurately prepared.

3.1.2 To preclude possible duplication or omissions in reporting, close coordination is necessary between the Center RPAO, the Center Industrial Property Specialists, and the appropriate DoD or NASA Center representative responsible for property administration at locations with real property jointly owned by DoD and NASA.

3.1.3 The provisions of chapter 3 are applicable to all NASA-owned real property held by contractors, the physical accountability and recording of which are set forth in subpart 18-45.5 of the NASA FAR Supplement.

3.2 Federal Real Property Council and the Federal Real Property Profile Reporting Requirements

3.2.1 Executive Order 13327

3.2.1.1 EO 13327 requires Government agencies to report all real property owned, leased from others, and otherwise-managed Federal real property assets within and outside the United States, including improvements on Federal land. EO 13327 was issued to promote efficient and economical use of Federal real property resources and to increase agency accountability of assets. Under this order, the Federal Real Property Council (FRPC) was formed to improve Federal asset management practices and to right-size the Federal asset portfolio. The FRPC established the role of the Senior Real Property Officer and mandated the creation of a centralized, online real property database known as the FRPP Internet Application.

3.2.1.2 All executive branch agencies are required to submit data at the constructed-asset level to the FRPP on an annual basis. This data is used by GSA and OMB to ensure proper management of Federal real property assets. All Federal agencies are required to upload the required data elements on or about December 15 of each year.

a. For owned real property (assets for which the United States holds title), the Federal agency that exercises real property accountability is responsible for reporting the asset in the annual FRPP.

b. For leased real property, the Federal agency that signed the lease is responsible for reporting the asset in the annual FRPP.

c. For otherwise-managed real property, the Federal agency that entered into the agreement with the State or foreign government is responsible for reporting the asset in the annual FRPP.

3.2.2 Center Reporting Responsibilities

3.2.2.1 NASA Centers shall ensure that the RPMS is updated for real property under their management and accountability control. Updates to the RPMS should take place at the time of the real estate acquisition or disposal. It is important that the inventory data is updated in a timely manner.

3.2.2.2 NASA Centers shall respond to data validation queries from the FERP Division in a timely manner and, by November 15 of each year, ensure that all real property data is up to date and that the data required by Section 2.2.2 of this directive is uploaded into the RPMS.

3.2.2.3 NASA is also required to include operations and maintenance (O&M) data for each reported asset in its inventory. The Center RPAO shall coordinate collection and uploading of O&M data into the RPMS no later than November 15 of each year.

3.2.3 Verification and Validation Plan

3.2.3.1 During the second and third quarters of each fiscal year, a list of discrepancies in the RPMS will be developed by the FERP Division. The list will be provided to the Centers for discussion and correction by the end of the third quarter. This allows Centers to make adjustments and corrections to the RPMS in time for the following year's report.

3.2.3.2 The verification and validation will be conducted by FERP Division auditors at three levels:

a. The first level of the review will compile a list of flagged items from all Center entries in the RPMS. The items are automatically red flagged by the system if there is a format discrepancy or data problem. FERP Division personnel will contact the Centers to discuss the red-flagged items. This level of review will be conducted for all Centers each year.

b. The second level of review will be a random sample of each Center's real property cards in the RPMS to search for questionable entries. This level will be conducted for all Centers each year. All data required for the annual update of the FRPP will be subject to review, but special emphasis will be placed on the following items:

(1) Value and classification.

(2) Status.

(3) Historical status.

(4) Utilization (FRPC Performance Measure 1).

(5) Condition index (FRPC Performance Measure 2).

(6) Mission dependency (FRPC Performance Measure 3).

(7) Annual operating costs (FRPC Performance Measure 4).

b. The third level will be conducted during site visits. This review will involve inspections of a random sampling of the Center's real property to ensure that it is properly recorded and that the entries are up to date. On-site reviews will be conducted on a 3-year schedule, and all Centers will be visited during the 3-year term.

3.3 Office of Management and Budget and General Services Administration Requirements

3.3.1 Space Budget Justification

3.3.1.1 NASA Headquarters is required to submit an annual rental space budget justification to GSA and OMB, including amounts for services covered by basic rental charges assessed by GSA but excluding amounts above standard services, as outlined in OMB Circular A-11 (2006) Section 54, Rental Payments for Space and Land and Appendix B, Budgetary Treatment of Lease-Purchases and Leases of Capital Assets. This information is used:

a. By OMB to evaluate NASA's budget request for rent.

b. By GSA to refine its estimates of rental costs.

c. By NASA to analyze space requirements and rental costs.

3.3.1.2 Each Center shall complete GSA Exhibit 54 using an electronic spreadsheet available from GSA to submit data regarding space that the Center rents (see Exhibit 54 in OMB Circular A-11 (2006) Section 54 for detailed instructions). Each submission shall:

a. Support budget-year requests and list all applicable appropriations or other funding sources by account.

b. Report space requirements to the nearest square foot and state obligations in thousands of dollars, rounding amounts to the nearest thousand.

3.3.1.3 The FERP Division shall put out a data call for Exhibit 54 no later than August 1 of each year.

3.3.2 Deferred Maintenance Assessment

3.3.2.1 Through the NASA Deferred Maintenance (DM) assessment process, third-party assessors rate the quality of all Center real property assets and submit a report of their findings to the FERP Division.

3.3.2.2 While Centers have no reporting requirements in connection with the DM assessment, Center staff shall facilitate the logistics of the assessment visit and adjust RPMS data if warranted by the findings of the assessment.

3.4 Other Reporting Requirements

3.4.1 In compliance with the Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges, dated December 1995, NASA must submit its most current National Bridges Inventory (NBI) data on bridges to the Office of Bridge Technology, Federal Highway Administration. The data collected pertains only to bridges on Federal land that is accessible by the general public.

3.4.2 The FERP Division shall circulate a timely call for NBI data no later than January 1 of each year.

Chapter 4. Acquisition of Real Property

4.1 Overview

4.1.1 This section describes the policies and procedures by which NASA Centers may acquire real property assets to support their missions. It includes:

a. References to laws, policies, and principles related to the NASA property acquisition process published by NASA and other Government agencies.

b. The process for requesting approval from the FERP Division for acquisition of real property.

4.1.2 The requirements in this chapter apply to real property assets acquired by:

a. Purchase, condemnation, gift, or transfer from another Federal agency.

b. Lease.

c. Easements, rights of way, licenses, permits, and use agreements.

d. Land withdrawals from Bureau of Land Management.

4.1.3 Procedures for recording transfer and acceptance of real property assets acquired through purchase, lease, in-grant, and easement can be found in Section 2.4 of this NPR.

4.1.4 This chapter does not apply to the construction of assets on real property already owned or under the control of NASA. Policies and procedures for construction of new assets can be found in NPR 8820.2, Facility Project Requirements. Procedures for recording construction of assets can be found in Section 2.4 of this NPR.

4.2 Guiding Principles for Acquisition of Real Property

4.2.1 Code of Federal Regulations 14 CFR, Part 1204.501 delegates the authority to acquire real property required by NASA by purchase, lease, condemnation, or other (e.g., donation or transfer from another Federal agency) to the following NASA officials:

a. Assistant Administrator, Office of Strategic Infrastructure.

b. Director, FERP Division.

4.2.2 Code of Federal Regulations 14 CFR, Part 1204.501 further provides that the authority to acquire real property may be redelegated. NPD 8800.14 specifies that NASA Center Directors may secure the authority to take such real property actions from the following NASA officials:

a. Assistant Administrator, Office of Strategic Infrastructure.

b. Director, FERP Division.

4.2.3 NASA usually does not accept donation of facilities built on non-Federal land, but the FERP Division will consider requests for a waiver.

4.2.4 The Director, FERP Division, is responsible for coordinating with and obtaining the concurrence of Mission Directorates and other NASA Senior Management officials to acquire real property, as appropriate.

4.2.4.1 The Director, FERP Division, shall coordinate and approve real property matters involving international locations with the NASA Office of the General Counsel and, through them, the NASA Office of International and Interagency Relations. NASA Headquarters will coordinate with the Department of State as required.

4.2.4.2 The Director, FERP Division, shall ensure coordination between the Center and affected Mission Directorate Offices regarding out-lease of NASA property, which is discussed in Section 7.6 of this NPR.

4.3 Environmental, Historic, and Sustainability Considerations

4.3.1 Real property acquisitions shall be coordinated with the Center's Environmental Management Office as early as possible to ensure that environmental requirements and liabilities are addressed in accordance with NPD 8500.1, NASA Environmental Management.

4.3.2 Environmental documentation to support the acquisition is to be prepared and maintained by the Center and will comply with both the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). NEPA and NHPA review normally take place in conjunction with each other.

4.3.3 NEPA documentation requirements assess potential environmental impacts associated with the real property acquisition, in accordance with NPR 8580.1. An Environmental Assessment or Environmental Impact Statement may be required.

4.3.4 NEPA documentation shall include an Environmental Baseline Survey (EBS) that reviews the operational history of the real property to identify potential environmental issues including, but not limited to:

a. Hazardous substance activities.

b. Equipment containing polychlorinated biphenyls (PCBs).

c. Materials containing asbestos.

d. Underground storage tank systems.

e. Wetlands.

f. Floodplains.

g. Cultural resources.

4.3.5 Historic documentation will comply with both Section 106 and 110(a) of the NHPA, 16 U.S.C. §470 et seq. This review is necessary if the real property acquisition has the potential to affect a listed or eligible structure/cultural resource that could be listed on the National Register of Historic Places. National Historic Landmarks, Native American, and Native Hawaiian sites also should be included.

4.3.6 Real property acquisitions including leases will comply with the Federal guiding principles for sustainability established by EO 13423.

4.3.7 If the site or structure to be acquired is found to be or is known to be contaminated and requiring remediation of the site or structure, the acquisition documents shall identify the responsibility of parties for remediation.

4.4 Safety and Health Considerations

4.4.1 The FPM shall coordinate real property acquisitions with the Center's Safety and Mission Assurance (SMA) Office as early as possible to ensure that all safety and health hazards, issues, and concerns have been addressed.

4.4.2 Safety and health documentation shall be prepared and maintained at the Center. This includes a Safety Baseline Survey (SBS) reviewing (or "for review of") the operational safety history of the real property to identify potential safety and health hazards and concerns. The SBS may include previous safety and health, and/or facility deficiencies from inspections. In many cases, required abatement actions will need to be completed prior to the actual transfer of the property. The SBS includes, but is not limited to:

a. Facility safety.

c. Fire protection.

d. Confined space requiring entry permit.

e. Nuclear safety.

f. Radiation protection.

g. Explosives and pressurized systems.

h. Health hazard exposure assessment (including lead and asbestos).

i. Indoor air quality assessment.

j. Hazardous noise abatement.

4.4.3 NPR 8715.3, NASA General Safety Program Requirements and NASA-STD-8719.7, Facilities Systems Safety Guidebook, provides additional guidance.

4.5 Rural Considerations

4.5.1 Section 601 of the Rural Development Act (RDA) of 1972, as amended, 7 U.S.C. §2204b-1, requires Federal agencies to maintain departmental policies and procedures that give first priority to the location of new offices and other facilities in rural areas.

4.5.2 Rural areas are defined in 41 CFR, Part 102-83.55 as follows: "Rural area means any area other than - (a) a city, town that has a population of 50,000 inhabitants or more and (b) the urbanized area immediately adjacent to such a city or town."

4.5.3 The RDA was established to provide for planning, financing, and developing facilities and services in rural areas that contribute to making these areas desirable places in which to live and make private business investments.

4.6 Uniform Relocation Assistance Considerations

4.6.1 The Uniform Relocation Assistance program ensures that owners of real property that are acquired for Federal or Federally assisted programs will be provided fair, consistent, and equitable treatment.

4.6.2 The "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs Act" (42 U.S.C. §4601 et seq.) is implemented through regulations in 49 CFR, Part 24, and applies to NASA through 14 CFR, Part 1208.

4.7 Title Approval Considerations

4.7.1 Before public money is expended, the Attorney General of the United States must approve the sufficiency of title to any real property acquired by the Federal Government, as stated in 40 U.S.C. §3111. This requirement applies to the acquisition of real property for any purpose, including but not limited to:

a. Easements and leases of a term greater than 30 years.

b. Real property purchased by NASA.

c. Real property donated to NASA per the Space Act.

4.7.2 The Attorney General's title approval responsibilities have been delegated to the Assistant Attorney General, Environment and Natural Resources Division.

4.7.2.1 Day-to-day administration is further delegated to the Title Unit in the Lands Acquisition Section of the Environment and Natural Resources Division. The Title Unit may be contacted to answer any questions or provide any assistance needed regarding title approval issues.

4.7.2.2 DOJ authority regarding approval responsibilities is also delegated to specific Federal agencies including the U.S. Army Corps of Engineers. Those agencies with delegated authority may be used to assist in the acquisition of real estate.

4.7.3 The Centers shall request FERP Division assistance in gaining clear title with the request for approval to acquire real property, per Section 4.8 of this NPR. The process of obtaining satisfactory evidence of good title should be started early in the acquisition process.

4.7.4 In addition to furnishing satisfactory evidence of title, NASA is also responsible for ensuring that the real property to be acquired is inspected. The RPAO shall complete a Certificate of Inspection and Possession and submit it to the Department of Justice.

4.8 Obtaining Approval to Acquire Real Property

4.8.1 The Center Director (or a Center senior management official with delegated authority from the Center Director) shall forward requests for approval to acquire real property to the Director, FERP Division.

4.8.1.1 Center Directors shall sign requests to acquire real property by purchase, gift, condemnation, or transfer from another Federal agency.

4.8.2 The Center shall ensure the Director, FERP Division, is fully informed of significant actions or problems related to any real property acquisition actions proposed or in process.

4.8.3 If the real property proposed to be acquired is privately held, the request shall include justification of the proposed acquisition, including supporting documentation and a finding from NASA legal counsel that the proposed action is legally sufficient.

4.8.4 Content of Request for Approval to Acquire Real Property

4.8.4.1 Centers requesting approval for real property acquisitions shall furnish a business case that includes the following information:

a. Identification of property including name, address/location, and owner.

b. Detailed description of property, including brochures, maps, charts, drawings, or photographs.

c. Detailed description of proposed use of property, including plans and schedule for staffing, as well as square foot allowances per person in office areas and for major items of equipment.

d. Statement that any required environmental/historic/sustainability review and documentation has been completed and any issues addressed and corrected.

e. Statement that a safety review has been completed and any issues addressed and corrected.

f. A Life Cycle Cost Analysis for the acquisition using Economic Analysis Package (ECONPACK) software (from the U.S. Army Corps of Engineers at http://www.hnd.usace.army.mil/paxspt/econ/econ.aspx) that includes:

(1) Description of how the acquisition supports Center mission and program requirements.

(2) Description of total acquisition needed to meet the requirement in amount of equipment, space, acreage, and duration of occupancy.

(3) Description of any other related acquisition, if required.

(4) Comparison of acquisition method proposed with possible alternatives.

(5) Comparison of advantages of NASA acquisition versus contractor acquisition if contractor will use facility.

g. Scheduled date for acquisition action, including:

(1) Signature of lease, contract to buy, or construction contract.

(2) Assignment of space by GSA.

(3) Other actions that may be relevant.

h. Anticipated move date and total number of employees for new location at full staff, including details on local hires versus contractor personnel.

4.8.4.2 Centers should use the following alternatives in the Life Cycle Cost Analysis to the proposed acquisition (additional alternatives may be considered):

a. Maintaining status quo?explain how NASA met requirement prior to requested acquisition, including effect on NASA programs if request is not approved. b. New acquisition or construction.

c. Leasing.

d. Modification of existing assets (i.e., renovation, upgrade, revitalization).

e. Use of other Government facilities.

f. Renovation/new construction mix.

g. Use of other facilities on the Center.

i. Acquisition of needed facilities through privatization initiatives.

4.8.4.3 Centers requesting approval shall ensure that each feasible alternative described in Section 4.8.4.2 has a cost-analysis component that includes the following:

a. Acquisition cost, including costs that may be incurred in the foreseeable future, such as rehabilitation, alteration, and repair; show all costs, and include source of funds.

b. Projection of estimated annual operation and maintenance costs.

c. Additional material or equipment (coordinate with Center personal property custodian), including:

(1) Type and amount of noncollateral equipment to be acquired by transfer or purchase.

(2) Determination of whether transfer is on a reimbursable or nonreimbursable basis.

(3) Projection of estimated annual costs for operation and maintenance of the equipment.

d. Any anticipated costs associated with relocation assistance requirement compliance.

4.8.5 Supplemental Information Regarding the Availability of Other Sites

4.8.5.1 Centers shall supplement requests for approval to acquire real property with information about the availability of other potential sites, both Government- and non-Government-owned, including:

a. Criteria used in site selection.

e. Comparison of advantages of requested site over other available sites.

f. Efforts to comply with 42 U.S.C. §2473d (requires investigating use of abandoned and underutilized Federal buildings, grounds, and facilities in depressed communities).

b. Steps taken to address EOs 12072 (Federal Space Management) and 13006 (Locating Federal Facilities in Historic Properties).

4.8.5.2 If property proposed for acquisition is not in a rural area as defined in the Rural Development Act of 1972, 7 U.S.C. §2204b-1 and described in Section 4.5.2, Centers shall provide written justification, including the following:

a. Reasons why the office or other facility must be located at chosen site.

b. Efforts made to locate in rural area.

c. Effects on project or program if location is changed to rural area.

4.8.5.3 Centers shall explain significant variations from standards outlined in Government real property acquisition documents if they exist in connection with the proposed acquisition.

4.8.5.4 Centers shall provide proposed timetable and steps in the acquisition process, including explanations for requirements to adhere to particular timetables and any unusual steps in the acquisition process.

4.8.5.5 Centers should anticipate any potential adverse consequences resulting from an acquisition and report possible future disadvantages along with suggestions for amelioration.

4.8.5.6 Centers should explain any contingencies that would prevent or delay consummation of the acquisition if approved. Explain contingencies that could require reversal of decision to acquire.

4.8.5.7 Once a request for acquisition of real property is approved and the transaction completed, the acquired asset shall be entered in the RPMS. See Section 2.4 of this NPR for a detailed account of how real property assets are entered into and managed within the system.

4.9 Alternative Future Use Questionnaire

4.9.1 As part of NASA's efforts to appropriately account for its assets and its expenses, NASA requires that NASA Form 1739, Alternative Future Use Questionnaire, be completed prior to acquisition of any facilities and related property for all NASA infrastructure and institutional projects. The requirements for Form 1739 are provided in NPR 9250.1.

4.9.2 The purpose of this form is to determine the appropriate accounting treatment for each individual asset acquired during the course of an infrastructure and institutional project. If an individual asset meets these criteria, then it must be capitalized, and a unique WBS element, or elements, within the project WBS structure must be established for that unique item.

4.9.3 The FPM in consultation with the RPAO and the Center DCFO (F) shall complete NASA Form 1739, Alternative Future Use Questionnaire, (for JPL, the equivalent form authorized by the NASA OCFO) for all facility projects.

4.10 Naming Real Property

4.10.1 Overview

4.10.1.1 This section establishes NASA policy and procedures covering the naming of real property and real property under construction or planned for future construction, including the following:

a. NASA-owned real property.

(1) Existing buildings.

(2) Roads and streets.

b. Public property and buildings (other than schools).

c. Schools.

4.10.2 NASA-Owned Real Property

4.10.2.1 NASA-owned buildings and structures should be named for their purpose (e.g., Administration Building, Rocket Research Building, etc.).

4.10.2.2 NASA-owned buildings and structures may be named for persons, but only in extraordinary circumstances. The Directors of NASA Centers and the Director of JPL shall submit requests to the Director, FERP Division before naming buildings or other NASA real property after NASA employees or other persons. Requests for naming NASA-owned buildings will include the proposed name of the building and all related background information.

4.10.2.3 Centers may consider naming meeting rooms or libraries after such persons. Alternatively, Centers may establish a memorial grove of trees or a memorial area such as a reception area in which a plaque is dedicated to persons who have provided extraordinary service.

4.10.2.4 Director, FERP Division, shall perform the following:

a. Coordinate proposal with appropriate Headquarters organizations, including the cognizant Associate Administrator, the Office of Communications, and the Office of International and

Interagency Relations.

b. Inform the Center of final action in each case.

4.10.3 Roads and Streets on NASA-owned Property

4.10.3.1 The commonly accepted system of designating a number, letter, or a combination thereof, is the first preference for naming a road or street.

4.10.3.2 The use of nouns is the second preference for naming a road or street, provided that such selection is made within the bounds of propriety and appropriateness regarding the following:

a. Geographical locations.

b. Places or events of American historical significance.

c. Scientific derivations.

d. Distinguished Americans.

e. Landmark NASA projects and programs.

4.10.4 Public Property and Public Buildings (Other Than Schools)

4.10.4.1 Communities and cities often request concurrence to name public buildings in honor of astronauts, including the crew of Columbia. Requests for naming buildings must include the proposed name and all related background information, including coordination of the naming with the cognizant Associate Administrator. If the building or structure is to be named for a person, living or dead, the Directors of NASA Centers and the Director of JPL shall submit requests to the Director, FERP Division.

4.10.4.2 The Director, FERP Division shall perform the following:

a. Coordinate the proposal with appropriate Headquarters organizations, including the Office of Communications, and the Office of International and Interagency Relations.

b. Inform the Center of final action in each case.

4.10.5 Schools

4.10.5.1 Communities and cities often request concurrence to name public schools in honor of fallen astronauts. The Office of Education has the authority and responsibility to process requests to name schools. Points of contact have been established at each NASA Center. All school naming requests will be referred to the appropriate Center point of contact, who will track the request to completion.

4.10.5.2 Directors of NASA Centers and the Director of JPL shall submit request for naming schools to the Office of Education with a copy to the FERP Division.

Chapter 5. Facilities Utilization

5.1 Overview

5.1.1 Chapter 5 describes the requirements, procedures, and definitions for reviewing and reporting utilization of NASA facilities. The NASA Facilities Utilization Program (FUP) has been established in the RPMS for this purpose. The goal of the FUP is to ensure that NASA facilities are put to their highest and best use and that the facilities remain consistent with NASA program and institutional priorities. Chapter 5 covers:

a. The roles and responsibilities of the Centers and their key managers, including the Center Directors and the Facilities Utilization Officers (FUOs).

b. The objectives of the FUP.

c. Review and reporting requirements.

d. Facility status criteria and classifications.

e. Standard allowance for office spaces.

f. Space allowance for furniture systems.

5.2 Objectives of the Facilities Utilization Program

5.2.1 The FUP is designed to provide a uniform, orderly process for meeting and addressing the following objectives:

a. Establishing facilities requirements that meet NASA's strategic and core capability needs.

b. Allocating the available facilities and related resources optimally to meet NASA's program and institutional requirements.

c. Identifying NASA facilities that are not needed or may become underutilized.

d. Identifying NASA real property and facilities that, although not in excess of NASA's needs, may be made available for use by NASA contractors or other private entities through a lease, easement, or license agreement.

e. Identifying and requesting required additional facilities resources.

5.3 Roles and Responsibilities in Facilities Utilization

5.3.1 NASA Centers General Requirements

5.3.1.1 Each Center shall maintain the operating records of its facilities and report on their usage and operation in the NASA RPMS.

5.3.1.2 Each Center shall establish a process that supports the transfer of this information from the facility operational personnel to the Center FUO on a timely and periodic basis.

5.3.1.3 Although the titles of managers used in the implementation of the FUP may vary among Centers, the designation discussed in this chapter is the FUO. The person assigned responsibility for facilities utilization management at a Center shall take on the requirements prescribed for the FUO.

5.3.1.4 At the JPL, the requirements outlined under Sections 5.3.1.1 through 5.3.1.3 of this NPR will be the responsibility of the NASA contractor that operates JPL to the extent specified in their contract.

5.3.2 The Center Director's Role

5.3.2.1 The Center Director shall document appointment of the FUO in writing and furnish copies to:

a. The employees designated.

b. The Financial Management Office responsible for maintaining general ledger control accounts of the property.

c. The NASA Headquarters FERP Division.

5.3.2.2 The Center Director shall ensure that the work performance of the FUO is in accordance with the requirements of this NPR.

5.3.2.3 The Center Director shall establish a Facilities Utilization Review Board (FURB) to direct utilization of Center real property and to communicate that direction to the FUO, the RPAO, and other responsible persons and organizations at the Center.

5.3.2.4 The RPMS shall be certified annually for accuracy by the FUO and the Center Director per Section5.4 of this NPR.

5.3.3 Responsibilities of the Facilities Utilization Officer (FUO)

5.3.3.1 The FUO shall be responsible for the following:

a. Planning and coordinating the assignment of building space and routine requests for facilities adjustments.

b. Coordinating the preparation for and the implementation of an annual Facilities Utilization Report.

c. Establishing and maintaining an inventory of facilities assignments.

d. Developing facilities utilization reports and analyses for field installation and Headquarters management use.

e. Aiding the RPAO in developing plans for releasing leased spaces, phasing out temporary space, and disposing of facilities (including land) that are no longer needed.

f. Supporting master planning and programming elements by providing facilities utilization data.

g. Ensuring that the RPAO and the OCFO attend the meetings of the FURB.

h. Supporting the operation of the FURB and ensuring that FURB decisions leading to utilization changes are recorded in the RPMS.

5.3.3.2 The FUO shall update the information in the RPMS no less than annually.

5.3.4 Role of Center Facility Utilization Review Board

5.3.4.1 The FURB shall ensure that the Center is properly addressing NASA's objectives for facility utilization, including the following:

a. Establishing sound facilities requirements to meet the Center's requirements in support of NASA's strategic and core capability needs.

b. Ensuring the optimum allocation of available facilities and related resources to meet the Center's programmatic and institutional requirements

c. Developing projections of long-term facility requirements necessary to substantiate construction programs or land acquisition.

d. Identifying Center facilities that may be or may become underutilized or excess to NASA needs in order to demolish or reuse such facilities by NASA or others via out-lease.

e. Identifying as early as possible any NASA real property and facilities that, although not excess to NASA's needs, may be made available for use by NASA contractors or other private entities through lease, easement, or license agreement.

f. Identifying Center requirements as early as possible to ensure timely and coordinated requests for required additional facilities resources.

5.4 Requirements for Annual Reviews and Reports

5.4.1 Automation of Facility Utilization Reporting

5.4.1.1 The RPMS has been developed, in part, to facilitate the FUP reporting process. The Center data in the RPMS is to be certified for accuracy annually by the FUO and the Center Director.

5.4.2 Facility Utilization Reporting Process

5.4.2.1 The Center FUO shall perform an Annual Utilization Review of all real property under the Center's cognizance. Utilization is expressed as the percentage of space used in comparison with the total space available.

5.4.2.2 Data gathered in the Annual Utilization Review is essential for updating the RPMS each Center by November 15 each year. The nature of each report is explained below:

a. The Building Space Utilization Report (known as the 1400 Report) covers all NASA-owned buildings, space leased from other Government entities and private parties, and space occupied under permit or agreements with other Government agencies within a given fiscal year. The 1400 Report contains information on:

(1) The number of workers within each personnel category at each facility.

(2) Net square footage by utilization category.

(3) Book value.

(4) Current Replacement Value (CRV).

b. The Facility Data Summary Report contains a brief summary of the utilization data of a chosen NASA location. The form contains information on:

(1) The available acreage at the location.

(2) The total net square feet of usable space.

(3) The total number of personnel at the facility by category, i.e., Civil Service, Contractor, and Other Personnel.

(4) The total recorded capital value of all land and facilities.

(5) The facility identification.

(6) The facility's book value (see Section 2.3.3 in this NPR).

5.4.2.3 On submission of data gathered in the Annual Utilization Review (the 1400 Report and the Facility Data Summary Report), the Center Director or a Deputy Center Director shall submit a signed letter to the Director, FERP Division certifying that all NASA-controlled real property under the Center's cognizance, including property that is owned, leased from others, and held under permit or other use agreement, has been reviewed and is being put to its best use. A list of real property assets is not required to be submitted with the letter.

5.5 Facility Status

5.5.1 Utilization Classifications and Criteria

5.5.1.1 In the Annual Utilization Review, each Center analyzes uses of various facilities and classifies them in the RPMS. The classification of an asset may affect not only NASA consideration for continuing operation, out-leasing, or disposal, but also triggers actions by NASA. An asset's classification may also determine how its value is treated in NASA accounting.

5.5.1.2 A facility is classified "Active" if it is being utilized for a specific current program, near-term program, or institutional requirement. Space utilization of active facilities is normally at least 50 percent or the usage level exceeds 50 percent of the number of days that it is available.

5.5.1.3 A facility that has no specific current or near-term program or institutional requirement is "Inactive." The following conditions characterize all inactive facilities or parts of facilities that are inactive:

a. No personnel occupy the facility.

b. Utilities are curtailed, other than as required for fire prevention, security, or safety.

c. The facility is secured to prevent unauthorized access and injury to personnel.

d. The facility does not receive funding for renewal or other significant improvement.

5.5.1.4 Inactive facilities or parts of facilities are classified by status: "Abandoned," "Mothballed," and "Standby," which are as follows:

a. Abandoned status applies to inactive facilities for which there are no reactivation plans. Facility systems and collateral equipment will be considered for excess or identified for use at other NASA locations where it is feasible and cost effective. The following conditions characterize abandoned facilities:

(1) All utilities are secured and disconnected at the first service equipment location outside the facility, with the exception of those needed for fire protection, security, or safety.

(2) The facility is secured to prevent the pilfering of salvageable materials.

(3) In coordination with the Center Environmental Office, environmental surveys have been completed and required remediation is identified and programmed.

(4) All personal property has been removed and accounted for.

(5) Hazardous material removal is complete.

(6) Plans are in place to demolish or declare the facility excess at the earliest practical date.

b. Mothballed status applies to facilities that have been deactivated but for which maintenance measures have been taken to prevent deterioration of essential systems. Mothballing generally results in higher first-year costs, but future annual costs are lower due to reduced maintenance and repair requirements. The total time to deactivate and then to reactivate a facility, including the mothballed period, generally exceeds 36 months. The following conditions characterize mothballed facilities:

(1) Utility systems and collateral equipment have been properly prepared for long-term inactivation without significant deterioration. Selected systems, such as cathodic and fire protection systems, are kept in operation and routinely inspected.

(2) The facility interior is equipped with appropriate environmental control to prevent significant deterioration.

(3) Hazardous materials have been removed.

(4) The facility exterior envelope is inspected routinely and the integrity and appearance of the exterior shell are maintained.

(5) Personal property is reported to the Center Personal Property Office for reutilization

screening and disposition.

c. Standby status applies to facilities that are temporarily not in use but appropriate maintenance measures have been taken to maintain essential operating systems in a state of readiness or availability for future use. Selective, cost-effective facilities maintenance and repair are required. Total time to deactivate and then to reactivate the facility, including the standby period, is expected to be 36 months or less. The following conditions characterize standby facilities:

(1) Utility systems and collateral equipment are secured as appropriate; equipment is cycled in operation on a planned basis to prevent deterioration.

(2) The facility interior is equipped with appropriate environmental control to prevent deterioration.

(3) Hazardous materials removal is complete.

(4) Personal property is reported to the Center Personal Property Office for reutilization screening and disposition.

5.5.2 Funding for Inactivation or Reactivation of a Facility

5.5.2.1 Costs for inactivation or reactivation of a standby or mothballed facility should be funded in accordance with the appropriate appropriations available at the time of the activity.

5.5.2.2 If the reactivation or deactivation is in support of a specific program, that program should ensure that funds for the activity are available.

5.5.2.3 Multiprogram technical or support facilities should be funded by a multiprogram-type account that is consistent with NASA funding policies.

5.5.3 Change of a Facility's Status

5.5.3.1 A decision to change the status of a facility should be based on the most cost-effective approach, considering the significant costs required to prepare a facility for mothballing or standby, and the additional costs for reactivation. Abandonment also could require significant expenditures to identify and correct any past environmental damage.

5.5.3.2 When the FUO identifies the need to change the status of an asset, the Real Property Accountable Officer (RPAO) shall enter the proposed status in the Change of Status portion of the asset's RPMS property record.

5.5.3.3 The FUO shall ensure that all determinations to remove facilities from active status or to reactivate inactive facilities are approved by the FURB and certified by the Center Director or the Deputy Director.

5.5.3.4 When a facility is removed from active status, the RPAO shall:

a. Update the Center's RPMS to reflect the new status (Abandoned, Mothballed or Standby).

b. Send notification to the Center Master Planning Office describing the change.

5.5.3.5 Inactive status may be applied to an entire facility or to only a portion. The CRV, (see

Section 2.3.4 of this NPR) of a facility reclassified as inactive shall be reduced by the percentage that is inactive. For example, if the status of a fully utilized facility changes to 50 percent inactive (whether the unused space is placed on Standby, Mothballed, or Abandoned), its CRV should be reduced by half. A facility that is 100 percent inactive has a CRV of $0.

5.5.3.6 When a facility classification is changed, the facility number shall remain the same so that capitalization and other expenses can continue to be tracked with it.

5.6 Standard Allowance for Office Spaces

5.6.1 General Guidance for Standard Space Allowance for Offices

5.6.1.1 A Center-wide average density of 110 net square feet per person (nsf/person) is the optimum for office space. It is the midpoint between the austere density limit of 95 nsf/person and the acceptable liberal limit of 125 nsf/person.

5.6.1.2 An average density factor that falls outside the range of 95 to 125 nsf/person may be reasonable in special circumstances. The following are considerations for such circumstances:

a. The grade structure of the personnel housed.

b. Special office equipment and internal circulation space needs.

c. Space needs of equal grades versus functional factors, such as supervisory positions versus nonsupervisory, receptionist versus secretary.

5.6.1.3 Efforts to conform too rigidly to density standards can result in continuous and costly adjustments to space allocation and are therefore discouraged.

5.6.1.4 Centers should refer to GSA Federal Management Requirements 102-79 for GSA's policies for the assignment of space by Federal agencies. It also states that all Federal agencies are to promote optimum use of space and assign space based on mission requirements.

5.7 Space Allowance Standards for Systems Furniture

5.7.1 General Guidance for Space Allowance Standards for Furniture Systems

5.7.1.1 When using space-efficient furniture systems in open office areas, higher densities must be achieved to justify the acquisition cost. For planning purposes, the following standards may be utilized to achieve an optimum systems furniture overall density of 95 square feet/workstation. Excluded from this factor are special-purpose office support areas, such as for personnel above GS-15.

Table 5-1 Space Allowances for NASA Staff Using Office Furniture Systems

Staff Category	Avg. ft2/Workstation	X	Circulation Factor	=	Total Allowance
General Staff (Engineers, Analysts, Technicians, Clerical)	70	X	1.25	=	88 ft^2
Supervisors, Senior Staff, GS-13/14	110	X	1.2	=	132 ft^2
Secretaries to Supervisors	90	X	1.2	=	108 ft^2
Managers/GS-15	150	X	1.1	=	165 ft^2
Secretaries to Managers (With Reception Seating)	120	X	1.1	=	132 ft^2

Chapter 6. Real Estate Agreements with Other Federal Entities

6.1 Introduction

6.1.1 NASA facilities and real estate assets that are considered for out-grant to other Federal agencies should be required to support a current or future NASA mission requirement. Additionally, the asset should be less than fully utilized so that an out-grant to another Federal agency does not interfere with NASA mission requirements. If the asset does not have a known mission focus in support of current or future NASA mission requirements and the asset is also underutilized, the Center should consider disposal of the facility through demolition or other means. However, waivers to this policy can be requested by the Center and this is discussed in Section 6.4.1.

6.1.2 Real estate agreements with other Federal agencies may be an out-grant of NASA real property for use by another agency, or an in-grant of the other agency's real estate for use by NASA. Agreements under which NASA is the tenant in another agency's property are considered acquisitions and are discussed in Chapter 4 of this NPR.

6.1.3 In its position as a leader in research in the Federal Government, as well as the owner of unique scientific facilities, NASA often enters real estate agreements with other Federal entities. An out-grant of NASA real property to another Federal agency has the potential to reduce NASA's operating costs, as well as the potential to save the other agency the costs of developing a capability through other means such as new construction. Additionally, if the NASA property is underutilized, the agreement with another Federal agency can leverage the asset into a more productive asset, maximizing its utilization and efficiency.

6.1.3.1 Regarding the out-granting of land to another Federal entity, it is not NASA's intent that permanent improvements constructed by the other Federal entity become the property of NASA.

6.1.3.2 In addition to FERP Division requirements, the Office of Program and Institutional Integration (OPII) has additional requirements for review of the Space Act Agreements (SAA) under which NASA property may be used by another Federal agency. Review by OPII does not satisfy the requirement for review and approval by the FERP Division, and vice versa. Centers need to ensure that they understand and comply with these requirements.

6.1.4 This chapter discusses requirements and processes for Centers to obtain Headquarters' approval to enter into agreements with other Federal entities, including SAAs and interagency agreements such as Memorandums of Understanding/Memorandums of Agreement (MOU/MOA) with real estate being part of the agreement. These methods are considered out-grants of NASA real property assets and include all legal instruments for that purpose.

6.2 Guiding Principles and Practices Governing Federal Entity Agreements

6.2.1 The Center shall determine and certify that a given out-grant of NASA property will not negatively impact the NASA mission and maintain this certification in the Center's real estate files.

6.2.2 All use of NASA real property assets by other Federal entities shall be covered by an out-grant agreement, such as an SAA, interagency agreement such as an MOU/MOA, or other agreement.

Agreements with Federal entities should not be by an Enhanced Use Lease (EUL) without prior concurrence by the FERP Division.

6.2.3 Prior to developing agreements with other Federal entities, Centers shall provide written notification to the FERP Division of the Center's intent to develop such real estate agreements. The purpose of this notification is to initiate an ongoing dialogue between the FERP Division and the Center, and not a formal request for review and approval, which is required later.

6.2.4 Centers shall forward abstracts that include key information of the proposed activities to OPII in accordance with OPII requirements. Guidance is contained in Chapter 1.3 of NASA Advisory Implementing Instruction (NAII) 1050-1, "Space Act Agreements Guide (August 2008)."

6.2.5 All real estate agreements with other Federal entities requiring FERP Division review and approval shall be submitted through the e router system of the Space Act Agreement Maker (SAAM) System.

6.2.5.1 Any agreement with another Federal entity that includes the use of Agency real property for a period greater than 5 years shall be submitted to the FERP Division for review and approval.

6.2.5.2 Any prior agreement with a Federal entity that is to be extended so that the total length of the agreement is greater than 5 years is to be submitted to the FERP Division for review and approval.

6.2.6 Any permanent structure that is constructed or funded by a Federal tenant shall remain the property of the Federal tenant.

6.2.7 Real estate agreements with other Federal entities shall be executed by the Center Director only after review and approval by the FERP Division. In cases where authority has been granted to a Center, the FERP Division should be consulted prior to executing real estate instruments.

6.3 Roles and Responsibilities of NASA Offices and Property Managers with Real Estate Agreements with Other Federal Entities

6.3.1 The Real Property Accountable Officer

6.3.1.1 The Center RPAO, or other NASA official specifically designated by the Center Director, supports the agreements to completion by:

a. Managing documentation and planning for proposals.

b. Submitting an abstract for all SAA proposals to OPII for concurrence, as described in the latest abstract guidance contained in Chapter 1.3 of the NAII 1050-1, "Space Act Agreements Guide (August 2008).

6.3.1.2 Center Directors shall designate in writing the Center official, if not the RPAO, who is responsible for developing and negotiating the agreement for the Center. This person may be the SAA agreement manager assigned in accordance with NPD 1050.1.

6.3.2 Center Directors

6.3.2.1 The Center Director shall determine and certify that any given out-grant will not have a negative impact on the NASA mission.

a. This certification shall be maintained in the Center real estate files.

b. A copy shall be sent to the Director, FERP Division when the abstract is sent to OPII or when the agreement is submitted for review, whichever occurs first.

6.3.2.2 The Center Director or the Center Director's designee shall ensure that organizations at Centers affected by an agreement with another Federal entity review business cases and leases and modify them, if necessary, to ensure there is no negative impact on their core mission.

6.3.3 NASA Headquarters

6.3.3.1 The FERP Division reviews and approves business cases and agreements with other Federal entities and facilitates review by other Headquarters offices, including the Office of the General Counsel and, through them, the Office of International and Interagency Relations, which reviews all agreements with other Federal agencies.

6.3.3.2 The NASA OPII coordinates review of abstracts submitted by the Centers for Space Act Agreements with other Federal entities.

6.3.3.3 Other Headquarters offices may review submissions as requested by the FERP Division in their office's areas of expertise and confer with their Center counterparts to obtain complete information.

6.4 Identifying Property or Facilities Suitable for Agreements with Other Federal Entities

6.4.1 Agreement with another Federal Entity

6.4.1.1 Centers should consider entering an out-grant agreement for use of an asset by another Federal entity only if the asset does not have a known mission focus in support of current or future NASA mission requirements. Additionally, the asset should be less than fully utilized so that an out-grant to another Federal agency does not interfere with NASA mission requirements. If the asset does not have a known mission focus in support of current or future NASA mission requirements and the asset is underutilized, the Center should consider disposal of the facility through demolition or other means.

6.4.1.2 NASA Headquarters will consider waivers to this policy if they are submitted by the Center in writing and show justification that a NASA asset that is not required to support a current or future NASA mission requirement should be out-granted under a real estate agreement to another Federal agency.

6.4.1.2.1 Examples of the justification include that the NASA facility is unique and the use by another agency will support the mission of the other agency, or that the asset is historical and NASA has determined that due to its historic nature, NASA will not dispose of the asset.

6.4.2 Business Case

6.4.2.1 A Center shall develop business cases for all real estate agreements with other Federal entities.

6.4.2.2 The business case shall use a life-cycle cost analysis (LCCA) to ensure the Center has evaluated all costs related to allowing the asset to be used by another Federal entity through the proposed real estate agreement. These costs are to include any nonreimbursed costs for maintenance or repair of a facility, as well as nonreimbursed service pool-related costs such as security and fire protection. The LCCA should support the agreement as the best economic value to NASA and compare the agreement to alternatives for managing the property.

6.4.2.3 All alternatives should include the costs in personnel resources to develop, enter into, and manage the lease, as well as operations and maintenance costs. Reimbursable costs, common service charges, and other revenues received from the other Federal entity should be included, as appropriate. Comparison of alternatives should be made according to the provisions of Section 4.8.4 of this NPR.

6.4.3 Headquarters Review

6.4.3.1 All requests for approval by the FERP Division shall be submitted through the e-router system of the Space Act Agreement Maker (SAAM) system. The e-router submission will include the following attachments:

a. A letter signed by the Center Director or their designee to the Director, FERP Division requesting review and approval.

b. A summary of the agreement, including:

(1) Property description.

(2) Terms of the agreement.

(3) How the proposed agreement supports NASA's mission in both qualitative and quantitative terms, as appropriate.

c. A final draft of the unsigned agreement as agreed to by all parties.

d. An LCCA for the agreement that conforms to OMB Circular A-94, "Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs" (use of ECONPACK software is recommended).

e. An Environmental Baseline Survey and completion certification for the NEPA process. Copies of these documents are to be held by the Center.

6.4.3.2 The FERP Division shall coordinate the review of the submitted agreement with the following Headquarters organizations:

a. The Office of General Counsel, which will review the agreement for legal sufficiency and, through them, the Office of International and Interagency Relations, which has the responsibility for the review of all agreements with other Federal agencies.

b. The Environmental Management Division, which will review the agreement in coordination with the Center Environmental Officer to ensure that environmental regulations are followed with respect to the tenant's operations and potential liability. They also will ensure that environmental requirements are met, as well as ensuring the agreement specifies environmental hazards present on the site.

c. The Office of Safety and Mission Assurance, which will ensure that the agreement conforms to NASA's policies for the safety of both NASA and tenant personnel, as well as ensure adherence in the agreement to Agency-wide safety, reliability, maintainability, and quality assurance policies and procedures.

d. The FERP Division also shall coordinate review of the submitted lease and submission package with the Headquarters Office of Protective Services.

e. The following organizations may be requested to review significant real estate agreements that grant, by lease or other instrument, use or control of NASA property for a period of greater than 5 years or agreements of potential outside interest:

(1) The Office of Independent Program and Cost Evaluation (IPCE), which will provide objective, transparent, and multidisciplinary analysis of significant agreements that may have noteworthy external interest, in order to inform strategic decision making relevant to the lease.

(2) The Office of Program and Institutional Integration (OPII), which will ensure that the actions of significant agreements with other Federal agencies that may have noteworthy external interest have been integrated across programmatic and/or institutional lines and will provide an independent, "nonpartisan" review for selected cross-cutting initiatives.

6.4.3.3 The Headquarters review shall ensure that the agreement supports a continuing need for the real estate asset that is subject to the out-grant whether for a current NASA mission, future NASA mission, or other reasons as submitted by the Center and approved by the FERP Division, as discussed in Section 6.4.1.

6.4.4 Recording the Agreement

6.4.4.1 The RPMS will be used to record all agreements with other Federal entities involving real property. Each agreement whether for land, building, other structure, infrastructure, or part of a building shall be entered as a separate instrument.

6.4.4.2 Space Act Agreements and interagency agreements such as MOUs/MOAs shall be entered as "Agreements."

6.4.4.3 The Center RPAO shall enter the name of the other Federal entity and the term of the agreement into the RPMS. The RPAO may enter other Center-required information into the RPMS.

6.4.4.4 The information in the RPMS will be used for internal reporting and for annual reporting to the Government Accountability Office (GAO) as part of the Federal Real Property Profile (FRPP).

6.5 Recording Monetary Value for Capital Modifications and Improvements in Agreements with Other Federal Entities

6.5.1 Agreements with other Federal entities may authorize the other Federal entity to make capital and other improvements to a NASA facility. Improvements to a NASA facility made by the other Federal entity have dollar value, and such improvements, if transferred to NASA, are viewed as if NASA had purchased them at the same dollar value.

6.5.1.1 Improvements constructed by the other Federal entity, such as buildings or other permanent structures, on land under the control of NASA will not become the property of NASA. Constructed improvements are to remain under the ownership and control of the other Federal agency.

6.5.1.2 If the agreement allows the other Federal entity to make improvements to the NASA facility, the RPAO shall enter the value of these modifications or improvements into the specific real property record as an increase in the value of that asset, and improvements will be capitalized in accordance with NPR 9250.1, Chapter 2 and recorded in NASA's real property records using the RPMS on the Property Value Tab.

6.5.1.3 NASA Headquarters will consider waivers to this policy if they are submitted to the FERP Division in a letter signed by the Center Director or designee. The request for waiver shall be accompanied by an LCCA, a justification indicating why the facility should be transferred to NASA, and how the acceptance of a facility from another Federal entity will support NASA's current or future missions.

6.5.1.4 A Center may request transfer of the constructed asset to NASA no less than 1 year before the end of the term of the property agreement by submitting an explanation of the benefit of such acceptance in accordance with the acquisition policy in Chapter 4 of this NPR.

6.5.1.5 Any constructed asset not accepted for transfer shall be removed by the Federal tenant at the end of the term of the agreement.

6.6 Environmental, Historical, and Sustainability Considerations

6.6.1 Tasks Prior to Executing Agreement with Other Federal Entities

6.6.1.1 Before agreements with other Federal entities can be submitted for approval, the Environmental Office at the Center shall complete the following tasks:

a. Environmental Baseline Survey (EBS) (when determined appropriate by the Center).

(1) The EBS is to establish the baseline environmental condition of the property to be out-leased.

(2) When the property is returned to NASA, a second EBS shall be performed and compared with the original EBS to determine whether any environmental contamination occurred during the period the property remained in the other entity's hands.

b. National Environmental Policy Act process.

(1) The NEPA process involves the systematic examination of the possible and probable environmental consequences of implementing the proposed use of the NASA property.

(2) The NEPA process does not replace other procedural or substantive environmental requirements (e.g., NHPA or Endangered Species Act compliance).

(3) To be effective, the NEPA process is to be integrated at the earliest possible time with all other project planning efforts.

6.6.1.2 The Center Historical Preservation Officer shall ensure that agreements with other Federal entities involving property of a historic nature comply with the requirements of Section 106 of the NHPA prior to approval.

a. Section 106 of the NHPA provides guidance on coordinating with the State Historic Preservation Office (SHPO) and/or the Advisory Council on Historic Preservation (ACHP) to determine whether there will be adverse effects on historic properties as a result of the agreement and what mitigation measures are appropriate.

b. Agreements with Federal entities shall include language protecting the integrity of the historical attributes of the property.

c. The goal of the coordination efforts is to reach an MOA with the SHPO/ACHP regarding the measures that will be taken to mitigate any adverse effects to historic properties.

6.6.1.3 Agreements with other Federal entities shall comply with Federal guiding principles for sustainability, as established by EO 13423.

Chapter 7. Real Estate Agreements with the Private Sector and the Public Sector

7.1 Introduction

7.1.1 This chapter details the various methods by which NASA can enter into a variety of out grants, including Space Act Agreements (SAAs), which provide exclusive use of NASA real property and Public-Private/Public-Public Ventures (PPVs), which include Enhanced Use Leases (EULs) and Commercial Antenna Siting Agreements. These methods are considered out-grants of NASA real property assets and include all legal instruments for that purpose. EULS are specifically discussed in Section 7.8 of this NPR. Note that SAAs, although discussed in this chapter, are not PPVs and are considered separate from them.

7.1.2 Out-grants include all nonpermanent granting of the use of NASA real property to others by means of lease, permit, easement, right-of-way, memorandum of understanding, memorandum of agreement, license, or any other form of acceptable legal instrument that recognizes NASA as the landlord and the lessee as the tenant.

7.1.3 By entering into real estate agreements with the private sector to utilize Federal real property, a currently underutilized Agency real property asset may be leveraged into a more productive asset, maximizing asset utilization and efficiency.

7.1.4 NASA facilities and real estate assets that are considered for out-grant should be required to support a current or future NASA mission requirement. This includes SAAs, PPVs, EULs, and Commercial Siting of Antennas. Additionally, the asset should be less than fully utilized so that the PPV does not interfere with NASA mission requirements. If the asset does not have a known mission focus in support of NASA and the asset also is underutilized, the Center should consider disposal of the facility through demolition or other means. However, waivers to this policy can be requested by the Center as discussed in Section7.4.2.

7.1.5 In addition to FERP Division requirements, the Office of Program and Institutional Integration (OPII) has additional requirements for review of the types of agreements covered in this chapter. Review by OPII does not satisfy the requirement for review and approval by the FERP Division and vice versa. Centers need to ensure that they understand both requirements.

7.2 Guiding Principles and Practices Governing Out-Grant of NASA Real Property

7.2.1 The Center shall determine and certify that a given out-grant will not negatively impact the NASA mission and shall maintain this certification in the Center's real estate files.

7.2.2 The Center shall send a copy of this certification to the FERP Division when the abstract is sent to OPII or when the lease is submitted for FERP Division review, whichever occurs first.

7.2.3 All use of NASA real property assets by a private sector or public entity, such as a State or local government entity, shall be covered by an out-grant agreement, such as an easement, lease, or SAA.

7.2.3.1 Leases of NASA real property shall be for fair market value, as determined by the Administrator.

7.2.3.2 Reimbursable SAAs shall include compensation for NASA expenses.

7.2.3.3 Easements and rights of way shall include consideration by the grantee at a fair value determined by and agreeable to the parties. Consideration for public benefit may be taken into account if the Center and the grantee agree.

7.2.4 Out-grants may be proposed for any underutilized, non-excess NASA real property including real property listed on the National Register of Historic Properties. 16 U.S.C. §470h-3 of the NHPA authorizes a Federal agency to out-grant such historic real property and retain the proceeds, for two fiscal years, to be used to defray the costs of the agency's historic preservation efforts.

7.2.5 Public-Private/Public Ventures (PPVs) and SAAs that include exclusive use and control of NASA real estate are more complicated than routine out-granting of assets through leaseholds, permits, easements, and other acceptable legal instruments and require careful attention to defining the respective partner commitments and liabilities. Early and continual coordination with Headquarters offices is essential for timely completion. Centers should plan for time needed to secure support from Headquarters offices, OMB, and others.

7.2.6 Prior to developing PPVs, Centers shall provide written notification to the FERP Division of the Center's intent to develop such real estate agreements. The purpose of this notification is to initiate an ongoing dialogue between the FERP Division and the Center, and such notification is not a formal request for review and approval, which is required.

7.2.6.1 The notification of the proposed PPV shall:

a. Address the disposition of personal property related to the real property being considered.

b. Include discussion of whether the asset is required to support current or future NASA mission requirements.

7.2.6.2 The FERP Division shall provide written comments and guidance based on the Center's notification.

7.2.6.3 The notification may be submitted with the OPII-required abstract discussed in Section 6.2.4.

7.2.7 Centers shall coordinate with the FERP Division and seek concurrence on all agreements and other documents containing transfer of rights in NASA real property.

7.2.7.1 Centers shall forward abstracts that include key information of the proposed activities to OPII in accordance with Section 7.6 of this NPR.

7.2.7.2 Any agreement with an organization outside of NASA that includes the use of Agency real property for a period greater than 5 years shall be forwarded to the FERP Division for review and approval. The real estate-related component of the agreement will be documented by a separate proposed lease, easement, use permit, or license.

7.2.7.3 All out-grants requiring FERP Division review and approval shall be submitted through the e router system of SAAM.

7.2.8 Real estate instruments shall be executed by the Center Director only after review and approval by the FERP Division. In cases where authority has previously been granted to a Center, the FERP Division should be consulted prior to executing real estate instruments.

7.2.9 NASA Centers, their Component Facilities, and the Jet Propulsion Laboratory shall obtain all required approvals from their Headquarters program offices and the affected Centers organizations before submitting PPVs for concurrence from the Director, FERP Division.

7.2.10 Centers are to establish the term of the lease to be in compliance with State law and in conformance with good business standards. It is understood that due to the capital contribution of the tenant, the time period needs to be sufficient for the tenant to realize a fair return on their investment. The term of the lease will be a significant factor in the Life-Cycle Cost Analysis of the PPV. Lease terms greater than 50 years will raise the question of the need to retain the asset.

7.2.11 A PPV includes at least two parties, and thus, two or more sets of objectives, constraints, and opportunities. A typical NASA objective may be to further a national objective in space or science, to generate funds to be used to maintain other facilities at the Center, or to ensure that the property being privatized is properly rehabilitated and maintained. At the same time, a typical private partner objective may be to make a profit on the venture or derive other benefits from the agreement, such as a nonprofit entity that seeks to partner on an historic structure simply to ensure its preservation.

7.2.12. A Center shall perform an analysis of the local real estate market for all proposed leases. The market analysis will determine the demand and likely pricing for the specific facilities or classes of facilities identified for possible out-lease.

7.3 Roles and Responsibilities of NASA Offices and Property Managers with Respect to Public-Private/Public-Public Venture Agreements

7.3.1 The Real Property Accountable Officer

7.3.1.1 The Center RPAO or other NASA official specifically designated by the Center Director shall support PPV agreements to completion by:

a. Managing documentation and planning for proposals.

b. Submitting an abstract of each PPV proposal that is a significant real estate agreement to OPII for concurrence. This may be done by the SAA agreement manager assigned in accordance with NPD 1050.1 A significant real estate agreement is one that grants, by lease or other instrument, use or control of NASA property for longer than 5 years.

c. Assessing the need for a business case and, if necessary, leading business case development and submission.

d. Coordinating with the Center Personal Property Officer to ensure proper management and possible disposition of personal property related to the asset to be used in the PPV.

7.3.1.2 Center Directors shall designate in writing the Center official, if not the RPAO, who is responsible for developing and negotiating the agreement for the Center. This person may be the SAA agreement manager assigned in accordance with NPD 1050.1.

7.3.2 Center Directors

7.3.2.1 The Center Director shall determine and certify that any given out-grant will not have a negative impact on the NASA mission.

a. This certification shall be maintained in the Center real estate files.

b. A copy shall be sent to the Director, FERP Division when the abstract is sent to OPII or when the lease is submitted for FERP Division review, whichever occurs first.

7.3.2.2 Centers Directors shall submit a statement that the asset being considered for a PPV is required to support a current or future NASA mission requirement. The statement will contain a description of the mission requirements and a schedule of the requirements.

7.3.2.3 The Center Director or the Center Director's designee shall ensure that organizations at Centers affected by a privatization agreement review business cases and leases and modify them, if necessary, to ensure there is no negative impact on their core missions.

7.3.3 NASA Headquarters

7.3.3.1 The FERP Division reviews and approves business cases and leases and facilitates concurrence of other Headquarters offices on PPVs.

7.3.3.2 The NASA OPII coordinates review of abstracts submitted by the Centers for Space Act Agreements involving excusive use and control of NASA real property and leases that are significant real estate agreements. A significant real estate agreement is one that grants, by lease or other instrument, use or control of NASA property for longer than 5 years.

7.3.3.3 At the request of the FERP Division, other Headquarters offices may review PPV submissions relating to their areas of expertise and may confer with their Center counterparts to obtain complete information.

7.4 Types of Public-Private/Public-Public Ventures

7.4.1 Centers should consider entering an out-grant agreement for use of an asset by a PPV only if the asset does not have a known mission focus in support of current or future NASA mission requirements. Additionally, the asset should be less than fully utilized so that an out-grant to a PPV does not interfere with NASA mission requirements. If the asset does not have a known mission focus in support of current or future NASA mission requirements and the asset is also underutilized, the Center should consider disposal of the facility through demolition or other means.

7.4.2 NASA Headquarters will consider waivers to this policy if they are submitted by the Center in writing and show justification that a NASA asset that is not required to support a current or future NASA mission requirement should be out-granted under a real estate agreement to a PPV.

7.4.3 Examples of the justification include the NASA facility is unique and the use by the PPV will support the mission, or the asset is historical and NASA has determined that, due to its historic nature, NASA will not dispose of the asset.

7.4.4 NASA Centers shall develop PPVs that support the NASA objective and missions to pioneer the future in space exploration, scientific discovery, and aeronautics research. Each PPV will likely be unique in its aspects, but all should support NASA in furthering its mission.

7.4.5 In a typical PPV agreement, NASA out-grants or otherwise makes underutilized NASA real property assets available to a private or public entity in exchange for monetary or other forms of consideration. The private or public entity employs its own capital to construct, renovate, or improve facilities on NASA property and to operate the facility in a manner consistent with the agreement. PPVs generally are not applicable to lesser interests in real estate such as easements and rights of way.

7.4.6 In its simplest form, a PPV is an agreement in which NASA furnishes real property for a specified period of years, and the private or public entity invests its own capital to design and develop the property. NASA is provided consideration for the use of its real property. The type of consideration is dependent on the type of out-grant.

7.4.7 NASA PPVs can be entered under a variety of means. These include out-leases under the Historic Preservation Act, cooperative agreements, including SAAs and concession agreements, and lease/develop/operate agreements, which include standard out-lease and EUL out-lease.

7.4.8 Lease/develop/operate arrangements are the most common PPV arrangement for NASA. Under the lease/develop/operate scenario, the private or public entity leases land or facilities from NASA, invests its own capital to construct a new facility, or renovate the existing facility, and then operates the facility.

7.5 Creating a Business Case for a Public-Private/Public-Public Venture

7.5.1 A business case shall be developed by Centers to support their concept for out-leasing of NASA real property when they plan to use NASA's out-granting authority for real property under their control. Some development of the business case may require projections as to how the Center plans to use the NASA authority under the Space Act.

7.5.1.1 A business case is not required for lesser interests in real estate such as easements and rights of way unless the easement or right of way is permanent. For other easements and rights of way, consideration by the grantee to NASA is appropriate and shall be at a fair value as determined by and agreeable to the parties. Consideration for public benefit may be taken into account if the Center and the grantee agree.

7.5.1.2 The business case is a tool for planning and decision making. It is an analysis that links estimates of costs and benefits with stated requirements and expectations for projected outcomes. The purpose of a business case is to make transparent to the various decision-making and operating groups the objectives to be met by a facilities investment, the underlying assumptions and alternatives, and the attendant costs and potential consequences of alternative actions.

7.5.2 Before proceeding with any PPV, a Center shall submit a business case to the Director, FERP Division. The business case shall include:

a. Overall Center concept for utilizing NASA's out-leasing authority, whether for a single NASA facility, a group of facilities, or land.

b. Description of the programmatic benefits in both qualitative and quantitative terms that NASA hopes to achieve from the partnership.

c. Detailed description of the real property to be used, including facility plans and maps and the current use of the property, if any.

d. Discussion of and copies of all SAAs detailing partnership arrangements.

e. Points of contact at the Center.

f. Intended conveyance instrument (i.e., lease, concession agreement, contract).

g. Legal analysis:

(1) NASA's authority to enter into the land use agreement, considering all appropriate Federal

statutes, regulations, and guidance.

(2) An explanation of why the property should not be declared excess (in accordance with GSA regulations).

(3) Identification of any deed restrictions, reversion problems, or any other land use limitation.

h. An economic analysis that conforms to OMB Circular A-94, "Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs" (use of ECONPACK software, is preferred).

i. An analysis of the following alternatives:

(1) Status quo as an underutilized asset.

(2) Upgrade of the facility by modification or repair for NASA use.

(3) Standby/mothball/abandon the facility.

(4) Demolition of the asset.

j. For each of the alternatives, the following shall be listed:

(1) Cost in personnel resources to develop, enter into, and manage the lease.

(2) Operations and maintenance cost.

(3) Rents, common service charges, and other revenues received from the tenant, as appropriate.

(4) Alternatives should be compared on the basis of cost and on the basis of benefit to NASA.

k. A clearly stated recommendation for the chosen alternative, indicating that it represents the best business decision.

l. A discussion of the analysis to ensure fair market value (whether by appraisal or other means) to establish and evidence value. This may be through an analysis performed by the GSA or the USACE, or an independent professional appraiser (whether or not fair market value is to be charged for the out-grant).

m. An analysis of the cost effectiveness of the proposed PPV, if fair market value is not to be assessed for the out-grant.

n. A security analysis:

(1) The legislative jurisdiction of the subject property and the law enforcement responsibilities based on the type of jurisdiction.

(2) How and what security services will be provided to or by the partners.

(3) A determination whether the partners will possess any material that may affect security requirements, i.e., national security classified information, weapons or explosive materials, drugs, cash.

o. An environmental analysis:

(1) Documented results of the EBS of the subject property.

(2) Appropriate NEPA documentation, i.e., categorical exclusion with record of consideration, environmental analysis and finding of no significant impact, or environmental impact statement and record of decision.

7.5.3 PPV proposals shall be in compliance with Federal guiding principles of sustainability established by EO 13423. Business cases shall document how the proposed agreement meets the guiding principles of sustainability.

7.5.4 Business Case Requirements for Complex Lease Agreements

7.5.4.1 The business case shall use a life-cycle cost analysis (LCCA) to ensure the Center has evaluated all costs related to the asset under the proposed PPV. These costs are to include any nonreimbursable costs for maintenance or repair of a facility, as well as nonreimbursable service pool-related costs such as security and fire protection. The LCCA should support the agreement as the best economic value to NASA and compare the agreement to alternatives for managing the property.

7.5.4.2 All alternatives shall include the costs in personnel resources to develop, execute, and manage the lease, as well as the cost to operate and the maintenance costs. Reimbursable costs, common service charges, and other revenues received from the tenant should be included, as appropriate. Comparison of alternatives should be made according to the provisions of Section 4.8.4 of this NPR.

7.5.4.3 If a building or a significant part of a building is to be leased to multiple tenants, a business case does not have to be developed for each tenant. A business case should be prepared for the building or portion of the building that will be available for lease.

7.5.4.4 To help manage the number of business cases, business cases for PPVs may be tiered. If the PPV is part of a larger project for developing facilities and land at the Center and the larger development is covered by an encompassing business case, a separate business case does not have to be developed for each PPV inside the development. This would be the case for a development project such as a large research park.

7.5.4.5 If the Center is not planning a large research park but is planning to enter into several PPVs, the Center may develop a business case that reflects all of their plans for PPVs in a single document. This Center-wide PPV business case shall incorporate all known facilities that the Center is considering. By having a comprehensive PPV business case, the Center can present its plan for all included out-grants to Headquarters as a package and not have to submit business cases for individual leases for review. PPVs not covered by a Center-wide or large development business case require a separate business case.

7.5.4.6 The Center PPV business case shall discuss how the PPV or PPVs fit into the concept for overall Center development as outlined in the Center Master Plan.

7.5.4.7 The business case for the lease shall be reviewed by the Center OCFO (F), Center Chief Counsel's Office, and Center Facilities Office, including master planning and real estate, prior to its submission to the FERP Division. The lease submission package will include a list of persons in these offices that have reviewed the lease so that their Headquarters counterparts can contact them, if necessary, during the review of the business case.

7.6 Guidance for Entering Space Act Agreements and Significant Real Estate Agreements with Public-Private/Public-Public Ventures

7.6.1 Guidance for entering SAAs may be found in the NAII 1050-A1, Space Act Agreements Guide.

7.6.2 OPII is the designated Headquarters office for reviewing proposed SAAs. Centers initiating real estate agreements associated with the Space Act or significant real estate agreements (as defined in Section 7.3.3.2 of this NPR) shall forward abstracts of key information for the proposed activities to OPII for review prior to negotiating or committing to any agreements. A significant real estate agreement is one that grants, by lease or other instrument, use or control of NASA property for longer than 5 years.

7.6.3 If the PPV is a significant real estate agreement, the Center shall seek and gain OPII concurrence before developing the agreement.

7.6.4 Abstracts shall follow the requirements of NAII 1050-A1 and shall include, in addition to any other information the initiator considers relevant to facilitate OPII's review, the following information:

a. Overall description of the proposed activity/activities, responsible NASA personnel, and a proposed Agreement Partner (including beneficiaries of the subject activity).

b. Responsibilities of NASA and the Agreement Partner.

c. Performance or other milestones.

d. Financial commitments by NASA and the Agreement Partner.

e. Resource commitments (personnel, facilities, and equipment) by NASA and the Agreement Partner.

f. Proposed terms of the agreement.

g. Affected NASA Mission Directorates, if any.

h. A description of how the proposed activities support NASA missions.

7.6.5 Upon receiving an abstract, OPII shall coordinate their review with the FERP Division and other affected or interested Headquarters organizations. The review is to identify any substantive issues or areas of concern among affected NASA organizations.

7.6.6 OPII shall either approve proceeding with the activity or communicate any areas of concern to the initiating office and to the Office of the Administrator and shall facilitate the timely resolution of any issues.

7.7 Public-Private/Public-Public Ventures Submission by Center

7.7.1 All PPVs shall be submitted to the FERP Division for review and approval prior to award of the PPV agreement. This includes all prior agreements that are to be extended beyond terms greater than 5 years.

7.7.2 The FERP Division will coordinate the review of the lease within the appropriate Headquarters offices.

7.7.3 Each PPV developed and submitted to the FERP Division shall comply with 14 CFR, Part 1204.504, which requires the following:

a. That the interest to be granted is not required for a NASA program.

b. That the lease will not negatively impact to NASA's mission.

c. That the grantee's exercises of rights granted will not interfere with NASA operations.

d. That fair value is received by NASA on behalf of the Government as consideration.

7.7.4 Centers may request a waiver from the requirements of 14 CFR, Part 1204.504, in writing, signed by a person authorized in accordance with Section 1.3.2 of this NPR.

7.7.5 Requirement for Notice of Availability

7.7.5.1 For all PPV agreements for use of NASA facilities or land, NASA's intent is to ensure fairness to all parties. Also, NASA intends to ensure best value to the Government for allowing the use of NASA's facilities and land. Both of these purposes can be met through public visibility of NASA PPV opportunities and, where appropriate, competition.

7.7.5.2 For all PPV opportunities, Centers shall ensure that the Center's intent to out-lease land or facilities is made available to the widest possible competitive market. This may be accomplished through public announcements or by coordination with the Air Force, Navy, or USACE Web site for EUL opportunities.

7.7.5.3 The Center shall prepare a notice of availability for the PPV opportunity if an asset that is to be out-leased:

a. Represents more than 35 percent of the Center's underutilized assets of that type available for out-lease.

b. Has a term exceeding 5 years.

7.7.5.3.1 The notice of availability may direct the interested parties to a Web site or other source where more information can be found.

7.7.5.3.2 A copy of the notice of availability and a list of respondents will be submitted with the draft PPV agreement when it is sent to the FERP Division for review and approval.

7.7.5.4 In the event of an unsolicited proposal to enter a PPV, NASA shall make a determination as to the validity of the unsolicited proposal in accordance with NASA requirements for review and acceptance of an unsolicited proposal. If it is determined that the unsolicited proposal is valid, a request for a waiver from the requirement for a notice of availability may be submitted to the FERP Division by the Center.

7.7.5.5 A Center may seek a waiver from the above requirements for a notice of availability. The request for a waiver should be submitted to the FERP Division at the same time that an abstract of the lease is submitted to OPII for review.

a. The waiver shall explain why competition for the specific PPV is not appropriate.

b. The waiver shall explain how best value will be ensured for the Government and provide relevant background material.

7.7.6 Protecting NASA's Primary Interests

7.7.6.1 Centers shall include with their PPV submissions the following certification statement, signed by persons granted authority in writing by the Center Director to act on real estate matters, per Section 1.3.2 of this NPR:

a. "The out-lease of this property will not have a negative impact on NASA's mission."

b. "The NASA property to be out-leased is required to support current or future NASA mission requirements."

7.7.6.2 Each Center shall ensure that the interests of NASA are protected by including language in the PPV that protects the interest of the Government. This includes adequate termination language. The standard language for termination included in 14 CFR, Part 1204.504 is restrictive and may be modified provided that a waiver is submitted to and approved by the Director, FERP Division.

7.7.6.3 The Center shall submit for review only PPV packages that have been reviewed and concurred on by the Center's environmental office, safety office, security office, OCFO (F), Chief Counsel's Office, and facilities office, including master planning and real estate, as well as the Program Office initiating the lease request. The PPV package should include a list of the persons in these offices that have reviewed the lease so that their Headquarters counterparts can contact them in order to discuss the lease.

7.7.7 Headquarters Review of Public-Private/Public-Public Ventures

7.7.7.1 Prospective PPVs shall be submitted by letter, signed by the Center Director or their designee, to the Director, FERP Division for review and approval.

7.7.7.1.1 Agreements shall be submitted through the e-router system of the Space Act Agreement Maker (SAAM) system. The submission will include the following:

a. A summary of the PPV including:

(1) Property description.

(2) Term of the lease.

(3) Consideration by the tenant.

(4) Proposed conveyance.

(5) Description of how the proposed lease supports NASA's mission in both qualitative and quantitative terms as appropriate.

b. A final draft of the unsigned lease as agreed to by all parties.

c. A business case for the PPV or reference to a previously approved business case that incorporates the lease being submitted in accordance with Section 7.5 of this NPR.

d. An Environmental Baseline Survey and completion certification for the NEPA process. Copies of these documents are to be held by the Center.

e. The required certification per Sections 7.2 and 7.7.6.1 of this NPR.

7.7.7.2 The FERP Division shall coordinate the review of the submitted lease and submission package with the following Headquarters organizations:

a. The Office of the General Counsel, which will review the lease, in coordination with the Center Environmental Office, for legal sufficiency.

b. The Environmental Management Division, which will review the lease to ensure that environmental regulations are followed with respect to the tenant's operations and potential liability. They also will ensure that environmental requirements are met, as well as ensuring that the lease specifies environmental hazards present on the site.

c. The Office of Safety and Mission Assurance, which will ensure that the lease conforms to NASA's policies for the safety of both NASA and tenant personnel, as well as ensure adherence in the lease to Agency-wide safety, reliability, maintainability, and quality assurance policies and procedures.

d. The Headquarters Office of Protective Services.

7.7.7.3 The FERP Division shall ask the following organizations to review significant real estate agreements that grant, by lease or other instrument, use of control of NASA property for a period of greater than 5 years or those of potential outside interest:

a. The Office of Independent Program and Cost Evaluation (IPCE), which will provide objective, transparent, and multidisciplinary analysis of significant leases that may have noteworthy external interest in order to inform strategic decision making relevant to the lease.

b. The Office of Program and Institutional Integration (OPII), which will ensure that the actions of significant leases that may have noteworthy external interest have been integrated across programmatic and/or institutional lines and also will provide an independent, "nonpartisan" review for selected cross-cutting initiatives.

7.7.7.4 The Headquarters review shall include:

a. Review for conformance with the Center business case.

b. Review for alignment with the Center Master Plan.

c. Review to ensure conformance to 14 CFR, Part 1204.504.

7.7.8 Recording the Out-Grant

7.7.8.1 The RPMS will be used to record all PPVs, including EULs, and SAAs involving exclusive use of NASA real property. Each PPV, EUL, or SAA, whether for land, building, other structure, infrastructure or part of a building, shall be entered as a separate instrument.

7.7.8.2 Space Act Agreements shall be entered as "Agreement."

7.7.8.3 All PPVs, other than EULs, shall be entered as "Lease."

7.7.8.4 The Center RPAO shall enter the name of the tenant and the term of the PPV, EUL, or SAA into the RPMS. The Center may enter any other Center-required information into the RPMS.

7.7.8.5 The information in the RPMS will be used for internal reporting, for annual reporting to the Government Accountability Office as part of the Federal Real Property Profile (FRPP), and to support the annual EUL report to Congress.

7.7.8.6 The SAAM system shall be used as the official repository for approved SAAs. The RPMS has the capability to hold documents as attachments to individual record cards and will be used as storage for final SAAs and lease agreements.

7.8 Enhanced Use Leasing

7.8.1 Requirements for Enhanced Use Leasing Note: A broader description of EULs is available in the NASA Desk Guide for Enhanced Use Leasing of Real Property. It is recommended that the document be consulted when considering entering into an EUL, as it contains additional background information and detailed discussion of the EUL process (See Preface, Applicable Documents).

7.8.1.1 Centers shall submit all EULs, regardless of scope, term in years, or amount of revenue, to the Director, FERP Division for review and approval before the Center executes the lease. This rescinds any previously granted authority to enter into some EULs without prior review by Headquarters.

7.8.2 Authority for Enhanced Use Leasing

7.8.2.1 In 2003, Congress enacted Public Law 108-7, which granted NASA limited authority to enter into EUL agreements in the FY 2003 Consolidated Appropriations Resolution. Under this initial demonstration authority, NASA was allowed to enter into EUL agreements at two NASA Centers with private sector entities, as well as with local and State governments, and other Federal agencies.

7.8.2.2 Under the EUL demonstration authority, NASA was allowed to retain the proceeds from these leases for the following uses:

a. To cover the full costs to NASA in connection with the lease.

b. For improvements of the real property assets of the Centers.

7.8.2.3 The two Centers selected under NASA's 2003 EUL demonstration authority, Ames Research Center (ARC) and Kennedy Space Center (KSC) were permitted to receive consideration other than cash. This in-kind consideration could include maintenance, construction, modification, or improvement of facilities on NASA real property and provision of services to NASA, specifically:

a. In-kind consideration reflected expenses for property repairs, upgrades, or capital improvements that extend the useful life of NASA properties, or other services rendered.

b. In-kind consideration was an auditable value included in the lease.

c. The authority for in-kind consideration ended on December 31, 2008. EULs approved at ARC and KSC before December 31, 2008, may continue until the term is complete and/or terminated. Any additional in-kind consideration under those EULs entered prior to January 1, 2009, must be reviewed and approved by the FERP Division before a modification to the EUL may be made.

7.8.2.4 Congress amended NASA's demonstration authority in the FY 2008 Appropriations, principally, to expand EUL authority to all NASA Centers. The FY 2008 Appropriation amendments did not include the authority to accept in-kind consideration

7.8.2.5 Congress again amended NASA's EUL authority in the FY 2009 Appropriations, principally, to clarify how the funds received from EUL leases should be expended and to establish percentages of the revenue that were to remain at the Centers versus being placed in an Agency capital asset account.

7.8.2.6 Under the revised EUL authorities, all EUL agreements entered on or after January 1, 2009, must adhere to the following:

a. May be for only cash consideration. No in-kind consideration is allowed in leases entered into after December 31, 2008.

b. The cash consideration received may be used to cover the full costs to NASA in connection with the lease.

7.8.2.7 Under the revised EUL authorities, the Center shall submit the following statement signed by persons granted authority in writing by the Center Director to act on real estate matters, per Section 1.3.2 of this NPR: "The out-lease of this property will not have a negative impact on the NASA mission."

7.8.2.8 The importance of EUL authority to NASA is that it supports relationships with the private sector that can provide mission-enhancing, programmatic benefits to the Agency. In addition, it allows Centers to improve their management of NASA real property by leveraging the property's value and attracting outside interest and investment into areas of programmatic interest.

7.8.3 Recording the Enhanced Use Lease

7.8.3.1 The RPMS will be used to record all EULs involving real property. Each EUL, whether for land, building, other structure, infrastructure, or part of a building, will be entered as a separate instrument.

7.8.3.2 Centers are to enter EULs into the RPMS as "Enhanced Use Lease."

7.8.3.3 The Center RPAO shall enter the name of the tenant and the term of the EUL into the RPMS. The Center may enter any other Center-required information into the RPMS.

7.8.3.4 The information in the RPMS will be used for internal reporting, for annual reporting to the GAO as part of the Federal Real Property Profile (FRPP), and to support the annual EUL report to Congress.

7.8.3.5 The RPMS has the capability to hold documents as attachments to individual record cards and will be used as storage for final EUL documents.

7.8.4 EUL Restrictions

7.8.4.1 EULs shall not be entered into with other Federal agencies.

7.8.4.2 EULs shall not allow lease-back of leased property or assets constructed on NASA property.

7.8.4.3 EULs should not include demand services. Demand services for a tenant shall be provided under a separate agreement.

7.8.4.4 No NASA civil service management activities shall be charged to EUL income.

7.8.5 Use of EUL Revenue

7.8.5.1 The use of cash proceeds from all EUL leases, no matter whether the lease was entered under the initial authority (ARC and KSC) or under the expanded authority for all Centers, shall follow the requirements of the expanded authority for all Centers.

7.8.5.2 NASA's EUL authority requires cash in consideration for a EUL lease. NASA may retain these cash proceeds. The revenues received may be used to cover the full costs to the Center in connection with the lease and to be available for maintenance, capital revitalization, and improvements of the real property assets and related personal property. This includes the revitalization, repair, and replacement of collateral equipment, as defined in NPR 9250.1, Property, Plant, and Equipment and Operating Materials and Supplies.

7.8.5.3 EUL funds may be utilized to cover full costs of lease management and administration charges which may include, but are not limited to, personnel (other than civil service) and other expenses incurred by the Center for administrative, legal, and other services for EUL support activities (e.g., contract support, contract management, financial management). These lease management and administration charges are a recurring charge and a part of the full cost of the lease. Full costs to NASA in connection with the lease are fully defined in NPR 9090.1. Briefly, these costs include those that reflect the indirect costs, general use of facilities services (e.g., shared charge for security services, procurement activities), and building maintenance (including both routine and major building repairs. The costs to NASA may also include costs for site preparation specific to the leased property, such as basic upgrades, so that a property can be considered viable for leasing and building modifications or customizations to accommodate EUL leases. However, these site preparation costs are to be billed to the tenant in addition to regular recurring lease payments.

7.8.5.4 NASA Headquarters reviews all EUL revenue and cost projections as part of the Agency budget process. This review consists of EUL revenue projections and proposed investment plans for EUL revenue. This information is used to develop the budget that is submitted to Congress. If specific repair projects are not known at the time of the budget submission, NASA submits details for the specific projects as part of the initial Operating Plan.

7.8.5.5 Under NASA's EUL authority, the net proceeds are deposited in a capital asset account, the Construction and Environmental Compliance and Remediation (CECR) account.

7.8.5.6 Sixty-five percent of the revenue, in excess of the full cost of the lease, will be distributed back to the Center managing the EUL to be used to fund the approved facilities project list. These funds are available for a term not to exceed 5 years. The funds may be used for maintenance, capital revitalization, and improvements of the real property assets and related personal property. These funds shall only be used to fund the approved facilities project list.

7.8.5.7 The facilities project list is submitted to Congress as part of the budget development process, and provides visibility into these projects as part of the normal NASA budget process.

7.8.5.8 Projects will be prioritized and approved based on Agency-approved discriminating factors, which ensure support of NASA's primary missions, reduce NASA operating costs supporting those missions, and ensure a safe, reliable, and adequate environment for NASA workers.

7.8.5.9 Thirty-five percent of the revenue, in excess of the full cost of the lease, will be distributed to NASA Centers based on projects approved and prioritized at the discretion of the Administrator. Preference will be given to construction and repair projects that reduce utility costs, increase NASA's use of renewable and alternative energy sources, and facilitate reduction of NASA's future operating costs. This list of projects is also be submitted to Congress as described above. These funds are available for a term not to exceed 5 years. The funds may be used for maintenance, capital revitalization, and improvements of the real property assets and related personal property. These funds shall be used only to fund the approved facilities project list.

7.8.5.10 Funds may be used on any real property at the Centers and do not have to be spent on facilities or infrastructure that are leased out under EUL.

7.8.5.11 Funds shall not be utilized for daily operations costs, such as utilities. 7.8.5.12 As part of the yearly Planning, Programming, Budgeting, and Execution (PPBE) process, Centers shall provide their projections of EUL revenue and proposed plans for spending the EUL revenue to the FERP Division.

a. All projects that will be funded with EUL revenue will follow standard project review and approval processes as established by the FERP Division.

b. Both the projection of revenue and the spending plan shall be for the current fiscal year and 2 years out. Projected revenue includes cash rent and service pool payments and the anticipated value of in-kind consideration, if applicable, for the current Fiscal Year, as well as for the 2 out years. Realistic forecasting of anticipated revenues and expenditures is critical in submission of NASA's operating plan.

c. The FERP Division will review EUL revenue projections and proposed investment plans for EUL revenue. This information is used for developing the budget that is submitted to Congress.

d. If specific repair projects are not known at the budget submission, NASA submits details for the specific projects as part of the initial Operating Plan.

7.8.5.13 Guidance on tracking and managing EUL revenue can be found in NPR 9090.1, Reimbursable Agreements.

7.8.5.14 EUL revenue may be utilized to cover lease management and administration charges, which may include, but are not limited to, personnel and other expenses incurred by the Center for administrative, legal, and other services for EUL support activities (e.g., contract support, contract management, financial management). These contractor lease management and administration charges are recurring charges and a part of the full cost of the lease.

7.8.5.15 Even though NASA civil service account managers oversee day-to-day management of existing leases, NASA has elected not to charge any of its civil service management activities to the EUL income and to leave them as part of Center Management and Operations costs.

7.8.6 Annual Enhanced Use Leasing Reports

7.8.6.1 Centers shall submit reports of the following information for the preceding fiscal year to the FERP Division by January 1:

a. List of active EULs.

b. Base (cash) rent received for each lease.

c. Value of in-kind consideration for each lease received in preceding calendar year (applicable to KSC and ARC only).

d. Expenditures to cover the full costs to NASA in connection with each lease.

e. Service pool payments received for each lease.

f. Service pool costs paid to provider for each lease.

g. Expenditures from EUL rent received for maintenance, capital revitalization, and improvements of the real property assets.

h. A list of completed projects on which the rent revenue has been spent, including the name and identifying number of the asset on which the funds were spent, a description of the project, and the cost of the completed project.

7.8.6.2 The FERP Division will measure the effectiveness of the EUL program using the information reported by the Centers, as well as the information in the RPMS. These measures include the following:

a. Amount of revenue received.

b. Number of underutilized buildings leased under EUL.

c. Amount of revenue spent on facilities repair as a percentage of the funds spent on repair of the facilities at the Center.

7.8.6.3 The FERP Division shall audit its EUL communications and review processes annually.

7.8.6.4 NASA submits an annual EUL Report to Congress by January 31 of each year regarding the status of the EUL program, as required by NASA's EUL authority. The FERP Division shall prepare the report, will include a status of the program, and will provide information on the active leases in the preceding year. The report also will highlight proposed projects for the coming year and beyond. The annual report will include:

a. List of active EUL leases.

b. Cash consideration received in preceding year from EUL leases.

c. Value of in-kind consideration received in preceding year (limited to ARC and KSC EULs entered prior to December 31, 2008).

d. Expenditures to cover the full costs to NASA in connection with the EUL lease.

e. Expenditures from the EUL capital account for maintenance, capital revitalization, and improvements of the real property assets and related personal property, including collateral equipment.

f. Proposed EUL leases.

g. Measures of the effectiveness of the EUL program.

7.9 Recording Monetary Value for Capital Modifications and Improvements in Public-Private/Public-Public Ventures

7.9.1 EULs entered into prior to January 1, 2009, at ARC or KSC may authorize the tenant to provide considerations to NASA in lieu of fair market rental payments for use of a NASA facility. Improvements to a NASA facility as part of the consideration under the terms of an EUL, have dollar value, and such capital improvements are viewed as if NASA had purchased them at the same dollar value. RPAOs shall enter the value of these modifications or improvements into the specific real property record as an increase in the value of that property. Improvements will be capitalized in accordance with NPR 9250.1, Chapter 2 and recorded in NASA's real property records using NASA Form 1045, Real Property Transaction Voucher.

7.9.2 PVVs, including EULs and SAAs, may allow the tenant to make improvements to NASA real property. If NASA takes ownership of these improvements under the terms of a PPV, EUL, or SAAs, the improvements have dollar value, and are viewed as if NASA had purchased them at the same dollar value. The RPAO shall enter the value of these modifications or improvements into the specific real property record as an increase in the value of that property. Improvements will be capitalized in accordance with NPR 9250.1, Chapter 2 and recorded in NASA's real property records using NASA Form 1045, Real Property Transaction Voucher.

7.9.3 The Center DCFO (F) shall be notified before a tenant begins a capital improvement.

7.10 Environmental, Historical, and Sustainability Considerations

7.10.1 Tasks Prior to Executing Public-Private/Public-Public Ventures

7.10.1.1 Before PPVs can be approved, the Center Environmental Office shall complete the following tasks in coordination with other Center offices, as required:

a. Environmental Baseline Survey (EBS) (when determined appropriate by the Center).

(1) The EBS is to establish the baseline environmental condition of the property to be out-leased.

(2) When the property is returned to NASA, a second EBS shall be performed and compared with the original EBS to determine whether any environmental contamination occurred during the period

the property remained in private hands.

b. National Environmental Policy Act process.

(1) The NEPA process involves the systematic examination of the possible and probable environmental consequences of implementing the proposed privatization of the NASA property.

(2) The NEPA process does not replace other procedural or substantive environmental requirements (e.g., NHPA or Endangered Species Act compliance).

(3) To be effective, the NEPA process is to be integrated at the earliest possible time with all other project planning efforts.

c. PPVs shall comply with the Federal guiding principles for sustainability established by EO 13423.

7.10.1.2 The Center historical preservation office shall ensure that PPVs involving property of a historic nature comply with the requirements of Section 106 of the NHPA, prior to approval.

a. Section 106 of the NHPA provides guidance on coordinating with the State Historic Preservation Office (SHPO) and/or the Advisory Council on Historic Preservation (ACHP) to determine whether there will be adverse effects on historic properties as a result of the partnership and what mitigation measures are appropriate.

b. The agreement with the PPV shall include language protecting the integrity of the historical attributes of the property.

c. The goal of the coordination efforts is to reach an MOA with the SHPO/ACHP regarding the measures that will be taken to mitigate any adverse effects to historic properties.

7.11 Office of Management and Budget's Scoring Rules on Leases

7.11.1 Evolving Scoring Rules

7.11.1.1 The OMB has enacted certain restrictions regarding in-lease of property by Federal agencies and how these in-leases must be accounted for in the budgeting processes. The scorekeeping rules are contained in OMB Circular A-11.

7.11.1.2 The Budget Enforcement Act (BEA), first enacted in 1990 and revised in 1997, creates a new mechanism to limit spending by Federal agencies. As a result of the BEA, "scorekeeping" criteria (also called "scoring rules") were developed by the Congressional Budget Office (CBO) and OMB to keep track of budget obligations by Federal agencies. These scoring rules significantly changed how certain types of contracts were accounted for in the budget process. Previously, when an agency entered into a lease-purchase contract, budget authority and outlays were scored over the period of the lease in an amount equal to the annual payments. The new scorekeeping rules changed this circumstance by requiring that budget authority for lease-purchases and capital leases be scored upfront, and all outlays for the term of the in-lease are required in the first year of the in-lease in an amount equal to the net present value of the entire stream of annual payments over the life of the in-lease. This new budget requirement effectively eliminated lease-purchases and capital leases from consideration by Federal agencies as methods of acquiring capital assets.

7.11.1.3 "Scoring" refers to the amount of obligation an agency must record and recognize against its budget authority. Sufficient agency appropriations must be available to cover the amount scored and may not be used for other obligations or purposes.

7.11.1.4 The scoring rules do not require upfront scoring of the rental payments made under an "operating lease."

7.11.2 Scoring Criteria

7.11.2.1 OMB rules identify six criteria that must be met for an in-lease to be considered an operating lease, including the following:

a. Ownership of the asset must remain with the lessor/landlord during the term of the in-lease and must not be transferred to the Government at, or shortly after, the end of the lease term. This means that NASA cannot state in the lease that the property will be transferred to NASA.

b. The lease does not contain a bargain-price purchase option.

c. The lease term does not exceed 75 percent of the estimated economic life of the asset.

d. The asset is a general purpose asset, rather than being for a special purpose of the Government, and is not built to unique specifications of the Government lessee/tenant.

e. There is a private sector market for the asset.

f. The present value of the minimum lease payments over the life of the in-lease does not exceed 90 percent of the fair market value of the asset at the beginning of the lease term.

7.11.2.2 If an in-lease does not meet all six criteria, it must be treated as a capital lease for budget purposes.

7.11.2.3 A capital lease may require the full cost of the lease over its full term to be in NASA's appropriation for the first year of the term. However, if the in-lease is determined to be an operating lease, then only the annual payment obligation will be scored each year.

7.11.2.4 OMB Circular A-11 provides additional guidelines to be used to distinguish operating leases from capital leases and lease-purchases. Centers shall review OMB Circular A-11 when developing PPVs, including EULs.

7.12 Providing Sites for Commercial Antennas on Federal Property

7.12.1 Authority for Providing Antenna Sites

7.12.1.1 On August 10, 1995, President Clinton signed an Executive Memorandum directing Federal agencies to assist the wireless communications industry in identifying sites for antennas on Federal property and to make available Federal buildings and land for the siting of antennas to those communications companies issued a valid communications license. In 1996, Congress enacted the Telecommunications Act of 1996 (P.L. 104-104, §704(c)), that further stressed the importance of this effort. In addition, on March 14, 2007, the GSA enacted FMR 2007-B2. This regulation provides all Federal agencies with the criteria and procedures for implementing the President's directions, as contained in the President's Executive Memorandum of August 10, 1995, as well as implementing Section 704(c) of the Telecommunications Act of 1996.

7.12.2 Requirements for Providing Sites

7.12.2.1 To the extent permitted by law and to the extent practicable, NASA may make available any buildings and lands for the siting of commercial antennas. This should be done in accordance with Federal, State, and local laws and regulations and be consistent with national security concerns.

7.12.2.2 Care should be exercised to avoid electromagnetic intermodulations and interferences.

7.12.2.3 Antenna sites shall be made available on a fair, reasonable, and nondiscriminatory basis. The request should be granted unless there are unavoidable conflicts with NASA's mission, including future planned use of the property or access to the property.

7.12.2.4 The siting of telecommunication provider antennas, however, is not to be given priority over other authorized uses of NASA facilities.

7.12.2.5 Upon receipt of a properly completed application, an initial review shall be conducted to determine whether the information provided is sufficient, and a determination will be made whether or not there is obvious reason to deny the request.

7.12.2.6 The evaluation of a siting request shall take into consideration all environmental and historic preservation issues, including, but not limited to, the following:

a. Public health and safety with respect to the antenna installation and maintenance.

b. Aesthetics.

c. Effects on historic districts, sites, buildings, monuments, structures, or other objects, pursuant to NHPA and implementing regulations.

d. Protection of natural and cultural resources (e.g., National Parks and Wilderness areas, National Wildlife Refuge systems).

e. Compliance with the appropriate level of review and documentation, as necessary under NEPA and the implementing regulations of each Federal department and agency responsible for the antenna siting project, such as the Federal Aviation Administration (FAA), the National Telecommunications and Information Administration, and other relevant departments and agencies.

f. Compliance with FCC criteria for radio frequency exposure.

7.12.2.7 The evaluation of any siting request is subject to any requirements of the FCC, FAA, and the National Telecommunications and Information Administration (NTIA). The National Capital Planning Commission shall be consulted on all requests for siting antennas on NASA facilities within the National Capital Region.

7.12.2.8 Colocation of antennas shall be encouraged where there are multiple requests for the same site.

7.12.2.9 Where colocation is not possible and the available space precludes accommodating all antenna siting requests, competitive procedures may be used to choose the selected applicant.

7.12.2.10 The real estate instrument used to grant the site for an antenna may be a lease, easement, permit, or license, as is appropriate under the circumstances of the request and location.

7.12.2.11 The legal instrument should be chosen to ensure the timely removal of the antenna at the end of the term of agreement.

7.12.2.12 Removal of the antenna shall be at the sole expense of the telecommunications service provider.

7.12.2.13 The legal instrument also shall provide that the antenna structures may not contain any advertising.

7.12.2.14 The telecommunications service provider is responsible for the reasonable costs incurred by NASA that are associated with providing the requested antenna site, including costs associated with obtaining appropriate clearance of provider personnel for access to land or buildings that are security sensitive.

7.12.2.15 Obtaining rights of access to Federal properties through non-Federal lands is the responsibility of the telecommunications service provider.

7.12.2.16 OMB Circular A-25, "User Charges," contains criteria that agencies shall follow to assess fees for the use of Government property or resources.

7.12.2.17 A reasonable fee also may be charged as rental for the property provided on which to place the antenna. This rental fee shall be based on the market value of the real property encumbered by the antenna. The market value can be determined by an appraisal, a market analysis, use of set rate schedules, or any other reasonable means of value determination.

7.12.2.18 NASA retains the discretion to deny an unacceptable or inappropriate request to site an antenna on NASA property.

7.12.3 Requests for Antenna Sites

7.12.3.1 All requests to site a commercial antenna on NASA-controlled property shall be forwarded by the Center to the FERP Division for review and concurrence and shall include the following:

a. Name, address, and telephone number of the applicant or legal representative of the applicant.

b. Specific building name and address or, as appropriate, the latitude and longitude or other site-specific property identifier.

c. Type and size of antenna installation and support required for the service provider's proposed wireless site, including access to site, utility requirements, acreage of land or foot/pounds capacity for rooftops, etc.

d. Description of overall project or larger antenna installation program, if applicable.

e. Specific modifications to the site that will be required to accommodate the antenna.

f. Summary of antenna specifications, including frequencies and Federal Communications Commission (FCC) license number, if a licensed facility.

g. Proposed length of term of the requirement.

h. Proposed terms of equipment removal and site restoration at the end of the requirement.

i. Result of any required environmental and historic review and actions needed to address issues identified.

j. A statement signed by the Center Director that the antenna and its use will not interfere with the Center mission and activities.

7.12.4 Response to Antenna Siting Requests

7.12.4.1 The FERP Division shall provide a preliminary response to the Center within 30 days of receiving the request, whether additional information is needed to complete the request or whether unique conditions or restrictions associated with the proposed antenna location or other circumstances will affect the timing or ultimate approval.

7.12.4.2 In all cases, the response will include the name and telephone number of the Facility Project Manager (FPM) or other NASA representative responsible for the project. This information will enable the applicant to initiate planning for the potential use of the requested site.

7.12.4.3 If the preliminary response indicates that additional information is required, NASA shall review the applicant's response in a timely manner. The applicant should be advised in writing if there are any other review and reporting requirements necessary due to statutory, legal, or NASA internal requirements, prior to issuing a final decision. This may include an Environmental Assessment or an Environmental Impact Statement, public hearings (as part of NEPA), or any other potential reviews.

7.12.4.4 Applicants shall be advised as soon as possible of their responsibility for any charges for Government services provided in the review process or other issues that need to be resolved. This response should provide the applicant with an estimated timeframe for completing the necessary actions and should be based on experience in dealing with projects of similar complexity.

7.12.4.5 Upon receipt of a sufficiently completed application, a site survey shall be held, accompanied by the telecommunications requestor, to determine whether the site actually meets the telecommunications provider's needs.

7.12.4.6 Final decisions shall be rendered in writing in a timely manner and after completion of all required reviews, evaluations, or assessments.

7.12.4.7 If the request is denied, a written decision to deny the request, in which the basis for denial is explained, shall be provided to the applicant.

7.12.4.8 In the event of a denial of an antenna siting request, the applicant is allowed to appeal the denial to a higher level of NASA authority for review of the denial decision.

7.12.4.9 The written denial shall also contain the name and address of the NASA official to whom an appeal of the denial may be sent.

7.12.4.10 After Agency determination to approve an antenna siting project, a lease, permit, license, or other legal instrument shall be executed to document the terms, conditions, and responsibilities of both the Federal Government and the telecommunications service antenna provider.

Chapter 8. Disposal of Real Property

8.1 Overview

8.1.1 This chapter discusses the policies and procedures by which NASA disposes of its real property assets, including:

a. Reporting excess property.

b. Prerequisites to disposal action.

c. Disposal action.

d. Disposal action considerations.

8.1.2 NASA does not have direct authority to dispose of its excess real property assets. The Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. §471 et seq. establishes the GSA as the Federal agency responsible for the sale of Federal assets and the sole authority to institute regulations for such actions, which are found in GSA Federal Management Regulations (FMR).

8.1.3 NASA cannot sell real property without specific legislative authority and, so, must follow the requirement of the Act by which NASA must consult and coordinate with GSA on the sale of excess property. Within NASA, 14 CFR, Part 1204.501 delegates the authority to sell or otherwise dispose of NASA real property, in accordance with the provisions of 40 U.S.C. §471, et seq, to the Assistant Administrator for Strategic Infrastructure and the Director, FERP Division. Thereby, all sale of real property shall be coordinated by and through the FERP Division.

8.1.4 Plans for the disposal of real estate, regardless of level or origin, shall not be prematurely disclosed. Information concerning these plans will normally be designated "Sensitive but Unclassified (SBU)." This designation will be canceled after the FERP Division has determined property is excess or after the 30-Day Notification to Congress as described in Section 8.3.1.1. Compliance with environmental, historic preservation, and similar legal documentation requirements does not constitute premature disclosure of disposal plans and must be coordinated by the FERP Division.

8.1.5 Disposal of real property shall be communicated to the DCFO (F) to effect final settlements, salvage value, sales proceeds, and removal of the assets from the general ledger. The RPAO shall notify the DCFO (F) when property is to be disposed and, therefore, removed from NASA real property records.

8.2 Reporting Excess Property

8.2.1 Sequence of Reports

8.2.1.1 In accordance with FMR 102.75-115, Centers shall prepare Standard Form (SF) 118, Report of Excess Real Property, and transmit it to the Director, FERP Division. This declaration is to be signed by the Center Director.

8.2.1.2 Centers shall request coordination and approval for disposal from the FERP Division in writing when they submit the SF-118.

8.2.1.3 The FERP Division shall submit Centers' Reports of Excess Real Property (as specified in Section 8.2.2) to the GSA.

8.2.1.4 The FERP Division shall provide copies of the Report of Excess Real Property to the Office of General Counsel, the Office of Legislative and Intergovernmental Affairs, and to the NASA DCFO (F).

8.2.1.5 Headquarters should receive a Notice of Receipt when GSA accepts a Report of Excess Real Property.

8.2.2 Content of Reports of Excess Real Property

8.2.2.1 Excess property reports shall include:

a. An accompanying SF 118a for buildings, structures, utilities, and miscellaneous facilities.

b. SF 118b for land.

c. SF 118c for related personal property.

d. A description of the property.

e. The date that title to the property was vested in the United States.

f. All exceptions, reservations, conditions, and restrictions relating to the title acquired by the United States.

g. Detailed information concerning any actions or circumstances since acquisition that may have affected the right, title, and interest of the United States to the property, together with copies of opinions or comments that may be contained in the file concerning the described actions or circumstances. If no such action or circumstance has occurred, then a statement to that effect will be included in the report under this element.

h. The status of the legislative jurisdiction of the real property.

i. Information concerning any known flood hazards or flooding of the property and whether it is located in a flood plain or wetlands, as well as a listing or citation to the uses that are restricted under identified Federal, State, or local laws and regulations as a consequence.

j. Identification of any fixtures or related personal property that have possible historical significance or artistic value.

k. The historical significance of the property, if any, and whether the property has been listed or is eligible for listing in the National Register of Historic Places or is in proximity to such a historic property. Whether the public, or interested parties, are making any effort to have the property listed will also be included in the report.

l. The identification of the type, location, and condition of any asbestos known to be incorporated into the buildings or structures on the property. Available estimates of the cost and time to remove the asbestos contamination will also be included in the report.

m. A statement indicating whether any hazardous substance activity (as defined by 40 CFR, Part 373) took place on the property.

(1) If such activity took place, include information on the type and quantity of such hazardous substance, and the time when such storage, release, or disposal took place. The report also shall note if all remedial action necessary to protect human health and the environment has been taken before

the property was declared excess. If no remedial action has been taken or completed, then when the action will take place should be stated.

(2) If no hazardous substance activity has taken place on the property (as defined in 40 CFR, Part 373), then the report shall include the following statement:

(3) "The [reporting agency] has determined, in accordance with regulations issued by the Environmental Protection Agency (EPA) in 40 CFR, Part 373, that there is no evidence to indicate that hazardous substance activity took place on the property during the time the property was owned by the United States."

8.2.2.2 With the report of excess and the accompanying SF 118, copies of all title evidence documents, any appraisal reports, and a signed certification that the property does not contain any PCB transformers or other equipment regulated by EPA under 40 CFR, Part 761 shall be submitted.

8.2.2.3 If the property does contain equipment subject to 40 CFR, Part 761, then the signed certification shall include an assurance that the PCB equipment will be maintained in compliance with 40 CFR, Part 761 until disposal of the property.

8.2.2.4 Requests to withdraw reports of excess shall be routed through the same channels as the original recommendation to excess the property.

8.2.3 Holding Agency Responsibilities

8.2.3.1 After real property is reported to GSA as excess, NASA remains the "holding agency" for that property.

8.2.3.2 The holding Center/Program retains custody and accountability of the property and shall continue programming funds and personnel for protection and maintenance until the date GSA disposes of the property or agrees to assume this responsibility.

8.2.3.3 The Center shall show the real property to prospective transferees or purchasers.

8.2.3.4 The FERP Division shall maintain close liaison with the GSA to ensure prompt transfer of custody and accountability to the GSA or the recipient of the property.

8.3 Prerequisites to Disposal Actions

8.3.1 Notifications

8.3.1.1 Before a disposal action can be initiated by a Center, the following criteria must be met:

a. The real property shall be in excess of the needs of the holding Center.

b. Before declaring property as excess, Centers shall discuss the property with other Program Offices at the Center to determine if they need the property.

c. The RPAO shall coordinate with Center personal property officials regarding personal property related to its real property.

d. If capitalized value as recorded in the RPMS is greater than $50,000, the proposed disposal action will be reported to Congress per Section 207 of the Space Act (42 U.S.C. §2476a).

e. The Administrator of NASA, or the designee, shall prepare a report on the proposed disposal action that includes a full and complete statement of the action proposed and the facts and circumstances relied upon in support of such action.

f. The Administrator, or the designee, also shall notify the Speaker of the House, the Committee on Science and Astronautics of the House of Representatives, the President of the Senate, and the Committee on Aeronautical and Space Sciences of the Senate. No disposal may take place until 30 days have passed since notification was provided or until each committee has provided written notice that it has no objection to the proposed disposal.

g. For excess land with a recorded capitalized value of more than $50,000, a written submission identifying the facility and presenting the rationale for disposal shall be sent to NASA Headquarters for review and approval by the Director, FERP Division.

h. Proposed disposal actions shall be reviewed for legal sufficiency and concurrence by the Center's Chief Counsel's office.

8.3.1.2 When the Center's written report of excess property has been received and NASA is authorized to dispose of the property, the Director, FERP Division shall direct the Real Property and Planning Branch to screen the real estate within NASA.

8.3.1.3 Property screening shall:

a. Identify the total acreage and all major improvements.

b. State the distance from the nearest population center and furnish a vicinity map.

c. If considered desirable, indicate former use, potential use, and highest and best use.

d. Estimate the annual protection and maintenance costs for the facility.

e. Name any significant encumbrances or restrictions affecting valuation or conveyance of title.

f. List outstanding or expressed interests.

8.3.1.4 Centers/Programs with interest for all or part of the property must submit written requests to the FERP Division.

8.3.1.5 An applicant shall conclusively show that:

a. The property is essential to accomplish an assigned mission and that no other real property under the applicant's control can satisfy the requirement.

b. Existing funds are available for operation and maintenance of the property.

8.3.1.6 The FERP Division will not consider a request unless detailed written justification is received within 30 days from the date of screening.

8.3.1.7 After the property is screened, and if the FERP Division does not receive a letter of interest within 30 days of screening, the property will be considered surplus.

8.4 Disposal Actions to the General Services Administration

8.4.1 Disposal Procedures

8.4.1.1 FMR 102-75, titled "Real Property Disposal," sets forth the procedures for disposing of real property that is excess to a Federal agency's needs. These regulations require the Federal agency to report excess property to the GSA.

8.4.1.2 Real property reported to the GSA as excess is first made available for transfer to other Federal agencies that have a need for the property. If no other agency needs the property, it is then considered as surplus property and may be made available for other uses through public benefit conveyances (PBC), negotiated sales, or public land sales, based on GSA's determination of the property's highest and best use.

8.4.1.3 The RPAO shall coordinate with Center personal property officials regarding personal property related to the real property being reported for disposal.

8.4.2 Priority of Disposal Options to the General Services Administration

8.4.2.1 If a property is suitable for use by the homeless, according to the Department of Housing and Urban Development (HUD), transferring the property as a homeless conveyance shall be considered before any other PBC can be considered. (See Section 8.6 of this NPR for further information.)

8.4.2.2 As a PBC, the property may be substantially discounted in price (up to 100-percent reduction in fair market value) if it is used for a specific public use that qualifies through a partner Federal agency.

8.4.2.3 The GSA may negotiate a sale at an appraised fair market value with a State or local Government if the property will be used for another public purpose.

8.4.2.4 If State and local governments or other eligible nonprofits do not wish to acquire the property, the GSA may dispose of surplus property via a competitive sale to the public, generally through a sealed bid or auction.

8.4.3 Disposal by Demolition

8.4.3.1 Demolition, including deconstruction, is an appropriate disposal action for NASA real property assets no longer required by NASA. If the real property is to be demolished, including by deconstruction, the following actions shall be taken:

a. NASA Form 1509, describing the scope and need for the demolition, shall be submitted to the FERP Division for approval. Processes for NASA Form 1509 are detailed in NPR 8820.2, Appendix C.

b. A letter, signed by the Center Director or Designee, requesting authority to proceed with the demolition shall be sent to the Director, FERP Division. The letter should include:

(1) A list of the buildings to be demolished along with their book value and square footage.

(2) Confirmation of status or changes in status in the RPMS.

(3) An approval line for signature by the Director, FERP Division.

(4) A copy of the approved NASA Form 1509 (see Section 8.4.3.1a above).

8.4.4 Disposal Proceeds

8.4.4.1 When real property in the United States (excluding property in foreign countries) has been declared excess and accountability transferred to another Federal agency or title has been transferred to a non-Government entity, reimbursements related to the transfer will be deposited using the following procedures:

a. Separately identifiable real property proceeds and other proceeds not separately identifiable from associated real property shall be deposited to the appropriate U.S. Treasury account.

b. Proceeds from property separately identifiable from associated real property shall be deposited to the appropriate U.S. Treasury account.

8.4.4.2 Proceeds from sales of surplus real property in foreign countries shall be deposited to the appropriate U.S. Treasury account.

8.4.4.3 The Director, FERP Division, shall coordinate and approve all real property matters involving international locations with the NASA Office of the General Counsel and, through them, the NASA Office of International and Interagency Relations. NASA Headquarters will coordinate with the Department of State as required.

8.4.4.4 Centers shall ensure that related personal property is promptly redistributed, transferred, or disposed of in accordance with personal property authority. All actions will ensure that the timing and method of disposal of related personal property will not delay disposal of the real property.

8.5 Disposal Action Considerations

8.5.1 Environmental Considerations

8.5.1.1 The NASA disposing official shall coordinate with the Center Environmental Office as early as possible to ensure that all environmental requirements are met.

8.5.1.2 The Center shall comply with NASA NEPA requirements for documentation to assess potential environmental impacts of the action in accordance with NPR 8580.1. An Environmental Assessment or Environmental Impact Statement may be required.

8.5.1.3 NEPA documentation shall include an EBS that reviews the operational history of the real property to identify potential environmental issues including, but not limited to, hazardous substance activities, equipment containing polychlorinated biphenyls, asbestos-containing materials, underground storage tank systems, wetlands, and floodplains. In many cases, required remediation will need to be completed prior to transfer of the property.

8.5.1.4 Environmental requirements may also include the closure requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA) (in accordance with NPR 8850.1).

8.5.1.5 Disposal of real property shall comply with Federal guiding principles for sustainability, as established in EO 13423 and EO 13514, as applicable to deconstruction, waste diversion, and recycling.

8.5.2 Historic Preservation Considerations

8.5.2.1 The NASA disposing official shall coordinate with the Center's Historic Preservation Officer as early as possible to ensure that all historic preservation requirements are met.

8.5.2.2 If the disposal involves historic property, then it is necessary to comply with the requirements of Section 106 of NHPA, which usually involves coordinating with the SHPO and the President's ACHP. Section 106 of the NHPA helps determine whether there will be adverse effects on historic properties as a result of the disposal action and what mitigation measures are appropriate. The goal of the coordination efforts is to establish an MOA with the SHPO or ACHP regarding these proposed mitigation measures.

8.5.3 Local Considerations

8.5.3.1 Centers shall, with FERP Division concurrence, coordinate disposal of real property that may affect community developmental plans with the appropriate State and local elected officials.

8.5.4 Safety Considerations

8.5.4.1 The NASA disposing official shall coordinate with the Center Safety and Mission Assurance office (SMA) as early as possible to ensure that all safety hazards and other related safety issues have been identified and addressed to comply with NASA standards, procedures, and criteria.

8.5.4.2 Safety documentation shall include a Safety Baseline Survey that provides the operational safety history of the real property and identifies the potential safety hazards and concerns as related, but not limited, to:

a. Facility safety.

b. Fire protection.

c. Confined space entry.

d. Nuclear safety.

e. Radiation protection.

f. Explosives.

g. Pressurized systems.

8.5.4.3 Safety Baseline Surveys may also include past records of Safety and/or Facility Deficiencies Inspections. In many cases, required abatement actions will need to be completed prior to the actual transfer of the property.

8.6 McKinney Act Screening for the General Services Administration

8.6.1 The McKinney-Vento Homeless Assistance Act (42 U.S.C. §11411), commonly called the Homeless Assistance Act, or McKinney Act, requires Federal agencies to identify and make available excess Federal real property, such as buildings and land, for use by States, local governments, and nonprofit agencies to assist the homeless. Thus, it is essential to conduct a "McKinney screening" in the early stages of any efforts to privatize underutilized NASA real property.

8.6.2 The McKinney Act requires the Department of Housing and Urban Development (HUD) to request information from Federal agencies regarding unutilized, underutilized, excess, and surplus Federal real properties (including land, buildings, and relocatable buildings). Pursuant to the McKinney Act, HUD collects this information on a quarterly basis to determine which properties may be suitable for use as facilities to assist the homeless. HUD has the sole responsibility for determining whether a property is suitable for use by the homeless.

Chapter 9. Relocatable Buildings--Authorization, Acquisition, Use, and Disposal

9.1 Introduction

9.1.1 This chapter discusses the policies and procedures to be followed when authorizing, acquiring, using, and disposing of relocatable buildings.

9.2 Authorization, Acquisition, Use, and Disposal of Relocatable Buildings

9.2.1 Purchase and Consideration of Relocatable Buildings

9.2.1.1 Relocatable buildings may be purchased and used within NASA when they constitute the most feasible and economical means of satisfying interim facility requirements. Buildings used to satisfy such requirements will normally be funded from program or local resources.

9.2.1.2 Relocatable buildings are considered real property. The exception is nonrigid structures such as tents and inflatables, which are considered personal property.

9.2.1.3 If a relocatable building is acquired via lease, Chapter 4 of this NPR is applicable.

9.2.2 Authorization

9.2.2.1 NASA Center Directors (or an authorized Center Senior Management Official) and the Director, NASA Management Office - JPL, have the authority to purchase or lease relocatable buildings that are necessary for mission performance.

a. The cost of the relocatable building(s) shall not exceed $500,000 per action.

b. The term of the lease may not exceed 3 years.

9.2.2.2 Centers shall submit a letter notifying the FERP Division of procurement or lease 90 days prior to action.

9.2.3 Acquisition

9.2.3.1 If the acquisition of a relocatable building meets the capitalization criteria in NPR 9250.1, an Alternative Future Use Questionnaire (Form 1739) shall be completed by the FPM prior to the acquisition. (Also see Section 1.3.5.)

9.2.3.2 NASA Center Directors or the Center Director's designee and the Director, NASA Management Office - JPL, shall document their acquisition within 30 days by providing the following detailed information to the Director, FERP Division:

a. Complete justification for the acquisition, including:

(1) Evaluation of the effect on NASA programs if relocatable building is not acquired.

(2) Complete scope of acquisition needed to meet the requirement considering the amount of

equipment, space, and acreage.

(3) Utilization schedule for the duration of requirement.

(4) Brief description of any other required acquisition, if necessary.

b. Proposed utilization, including:

(1) Square footage allowance per person and per major items of equipment.

(2) Utilization of all nonoffice space in the relocatable building.

(3) Plan depicting siting and land-use factors.

c. Justification of method of acquisition, including:

(1) Comparison of costs and benefits of acquisition method chosen, as compared to all practical alternatives.

(2) Comparison of NASA acquisition versus contractor acquisition (if contractor will use facility).

d. Costs of acquisition, including:

(1) Cost breakdown showing site preparation and other Center charges, including costs that may be incurred such as rehabilitation, alteration, and repair.

(2) Identification of type and source of funds.

e. Projected annual operation and maintenance costs.

f. Estimated time (in months) the facility will be required.

9.2.4 Utilization

9.2.4.1 All relocatable buildings will be utilized as interim facilities (normally not to exceed 3 years) until the program requirements that justified the acquisition have been satisfied or permanent facilities have been acquired to meet the same program need.

9.2.4.2 If the relocatable buildings are required beyond 3 years, a waiver request from the 3-year term above shall be sent to the FERP Division with justification for the extended term, including plans to meet the requirement with permanent structures.

9.2.5 Disposal

9.2.5.1 Relocatable buildings may be transferred to personal property records when ready for disposal and disposed of as personal property.

Appendix A. Definitions

A.1 5-Foot Line - Site Development and Utilities Outside 5-Foot Line. Includes costs normally associated with developing the site, such as site clearance and demolition, earthwork and landscaping, storm and sanitary sewers, mechanical and electrical utilities, roads, bridges, marine facilities, and airfield pavements. Also, includes construction costs associated with testing, excavation, removal, and treatment and disposal of hazardous contaminated soil, water, or groundwater.

A.2 5-Foot Line - Building/Structure Within 5-Foot Line. Includes construction costs for the facility including all architectural/structural, mechanical, and electrical work and the associated collateral equipment.

A.3 Acquisition. Permanent and nonpermanent transfer of rights in real property to NASA. Permanent transfer includes transfer by purchase, condemnation, gift, and transfer from another Federal agency. Permanent acquisition is recorded as NASA-owned property in the RPMS. Nonpermanent transfer includes transfer by lease, right of way, easement, permit, or license. Nonpermanent acquisition is not recorded as NASA-owned property; rather, it has other designations in the RPMS.

A.4 Bargain-Price Purchase Option. A provision allowing the Government to purchase a leased property for a price that is lower than the expected fair market value of the property at the date the option can be exercised. The purchase price includes the value of any rebates or income to NASA or the Government resulting from purchase of the asset.

A.5 Beneficial Occupancy Date. The date a facility or real property asset is accepted for use.

A.6 Building-Type Equipment. Equipment that is normally required to make a facility useful and operable. It is built in or affixed to the facility in such a manner that removal would impair the usefulness, safety, or environment of the facility. Such equipment includes elevators, HVAC (heating, ventilating, and air-conditioning) systems, transformers, and compressors, and other like items generally accepted as being an inherent part of a building or structure and essential to its utility. It also includes general building systems and subsystems such as electrical, plumbing, pneumatic, fire protection, and control and monitoring systems.

A.7 Buildings. Constructed assets, each with four walls and a roof.

A.8 Built-in or Large, Substantially Affixed Equipment or Property. The unit of equipment or property of any type other than building-type equipment that, whether part of the original construction or modification, is built in, affixed to, or installed in real property in such a manner that, if it were to be removed, the Center cost, including special foundations, unique utility services, or facility restoration work would exceed $100,000.

A.9 Capital Improvements. Modifications to existing PP&E that cost $100,000 or more and extend its useful life by 2 years or more or enlarge or improve its capacity or otherwise upgrade it to serve needs different from, or significantly greater than, those originally intended.

A.10 Capitalized Assets. Assets with a unit acquisition cost of $100,000 or more and an estimated useful life of 2 years or more, which are not intended for sale in the ordinary cost of operations, have been acquired or constructed with the intention of being used or being available for use by NASA, and have alternative future use.

A.11 Capital Lease. Property in-lease that is equivalent to an installment purchase of property. In accordance with OMB Circular A-11, "Preparing and Submitting Budget Estimates," (Section 33 and Appendix B), for all lease-purchases and leases of capital assets, there must be sufficient budgetary resources up front to cover the present value of the lease payments discounted using U.S. Treasury interest rates. Any in-lease that does not meet the criteria for an operating lease and is not a lease-purchase is considered to be a capital lease.

A.12 Collateral Equipment. Includes building-type equipment, built-in equipment, and large substantially affixed equipment normally acquired and installed as a part of a facility project; includes items meeting the GSA definition of "related personal property." The removal of such equipment would impair the usefulness, safety, or environment of the facility and would involve substantial cost because of the special or unique services required for the initial installation.

A.13 Current Replacement Value (CRV). The CRV of a facility is the total escalated value of the original cost in present-day dollars. The CRV is not an estimated cost to rebuild or replace the facility, but is the book value of the asset escalated by the Building Cost Index (BCI) found in the Engineering News-Record, a McGraw Hill publication.

A.14 Demolition. Planned destruction of a NASA real property asset. After demolition, the asset is removed from the RPMS.

A.15 Disposal. Permanent disposition of NASA real property by sale or transfer to another entity. The asset is removed from the RPMS after the sale or transfer is complete.

A.16 Easement. A type of in-grant or out-grant that grants the right to use real property for a specific purpose. It may be temporary or permanent.

A.17 Enhanced Use Lease (EUL). EUL authority allows Federal agencies to enter into real estate agreements that grant, by lease to others, the use of underutilized real property including land, buildings, and other structures. EUL allows the agency to retain and use the proceeds derived from the lease.

A.18 Excess Real Property. Real property under NASA control for which there is no current or foreseeable NASA requirement and which may be transferred to another agency or to a private party. Determination of excess status is made by the Center Director of the reporting Center and approved by the Director, FERP Division. Property that is scheduled for demolition is not considered excess.

A.19 Federal Real Property Profile (FRPP). The online system that houses the Federal real property inventory data. Agencies must report data annually by either submitting an XML file in a predetermined format or by entering the data manually into the FRPP system.

A.20 Holding Agency. The agency responsible and accountable for property purchased for the United States from its appropriated funds or acquired by transfer from other Government agencies, donations, or other means.

A.21 In-Grant. Nonpermanent transfer of real property rights to NASA by means of lease, easement, permit, or license. It is recorded as an "In-Grant" in the RPMS with the type of agreement selected. It is recorded as an "In-Grant" and "Lease" in the RPMS.

A.22 In-Lease. A type of in-grant where NASA is the lessee/tenant and has the exclusive right to the property owned by the lessor/landlord for a specified period of time.

A.23 Interim Facility Requirement. A short-term (not to exceed 3 years) requirement for facilities caused by peaks in NASA missions or to satisfy other urgent requirements pending approval and funding via the normal construction of the facilities budget cycle.

A.24 Land Improvements. The cost of nonpermanent, depreciable improvements to land used in general operations. Also includes similar costs to land subject to stewardship reporting, as well as land rights of limited duration that are associated with general operations. The distinction between land and land improvements is that while land has an indefinite life and is nondepreciable, land improvements have an estimated useful life (definite life) and are capitalized and depreciated. Examples of land improvements include the cost of parking lots, driveways, fences, and lawn and garden sprinkler systems.

A.25 Lease. A type of in-grant or out-grant where the owner of the property (the "lessor") grants to a lessee by written agreement the right to exclusive possession of the property by the lessee for a defined period of time. The lease may contain provisions or conditions restricting the use of the property to ensure conformity with NASA mission.

A.26 Lease-Purchase. A type of lease in which ownership of the asset is transferred to NASA at, or shortly after, the end of the lease term. Such a lease may or may not contain a bargain-price purchase option.

A.27 Leased Property. Property under the control of NASA through in-lease, permit, license, or other arrangements.

A.28 Leasehold Improvements. NASA-funded costs of long-term capital improvements (for more than 3 years) to leases, rights, interests, and privileges relating to land not owned, but held, by NASA, such as easements, rights-of-way, permits, use agreements, water rights, air rights, and mineral rights. Leasehold improvements also include NASA-funded costs of improvements made to land, buildings, structures, and facilities, as well as easements and rights-of-way, where NASA is the lessee or the cost is charged to a NASA contract.

A.29 Lessee. Tenant: a person or group to whom a lease is granted.

A.30 Lessor. Landlord: a person or group who grants a lease.

A.31 License. A type of in-grant or out-grant where nonexclusive authority is granted to an individual or organization to do a specified act or acts on the licensor's real property, without acquiring any estate in the property. A license authorizes an act that would otherwise constitute trespass.

A.32 Maintenance Costs. Recurring, noncapital expenses for repair and upkeep of buildings or other structures, including infrastructure, to minimize life-cycle maintenance and repair costs, maintain facilities and equipment at the desired level of reliability, and maximize safety. Reported annually for each reported asset into the Federal Real Property Profile (FRPP).

A.33 Memorandum of Understanding/Memorandum of Agreement (MOU/MOA). A type of in-grant or out-grant that grants authority to another Federal agency to use the licensor Federal agency's real property.

A.34 Noncollateral Equipment. Noncollateral equipment, when acquired and used in a facility or test apparatus, can be severed and removed after construction without substantial loss of value or damage to the equipment or the premises where it is installed. Each such item is considered separately in relation to the capitalization criteria. Noncollateral equipment is recorded in account 1750.0100, Government Owned Government Held Other Equipment.

A.35 Operating Costs. Recurring noncapital expenses for day-to-day operations of buildings and other structures, including infrastructure; includes utility costs and maintenance costs. Reported annually for each reported asset into the FRPP.

A.36 Operating Lease. An in-lease in which ownership of the asset remains with the lessor during the term of the lease and is not transferred to the Government at, or shortly after, the end of the lease term; the in-lease does not contain a bargain-price purchase option; the lease term does not exceed 75 percent of the estimated economic life of the asset; the present value of the minimum lease payments over the life of the lease does not exceed 90 percent of the fair market value of the asset at the beginning of the lease term; the asset is a general purpose asset rather than being for a special purpose of NASA, and is not built to the unique specifications of NASA as lessee; and there is a private sector market for the asset. Additionally, multiyear service contracts and multiyear purchase contracts for expendable commodities will be considered to be operating leases.

A.37 Other Structures. Includes costs of acquisitions and improvements of structures and facilities other than buildings. For example, airfield pavements; harbor and port facilities; power production facilities and distribution systems; reclamation and irrigation facilities; flood control and navigation aids; utility systems (heating, sewage, water, and electrical) when they serve several buildings or structures; communications systems; traffic aids; roads and bridges; railroads; monuments and memorials; and nonstructural improvements such as sidewalks, parking areas, and fences.

A.38 Out-Grant. Nonpermanent granting by NASA of the use of NASA real property by others by means of lease (including EULs), easement, permit, license, Space Act Agreement, or MOU/MOA. The NASA real property is retained and recorded as an "Out-Grant" in the RPMS.

A.39 Out-Lease. A type of out-grant where NASA is the lessor/landlord and grants exclusive right to the lessee/tenant for use of the property for a specified period of time. The NASA real property is retained and recorded as an "Out-Grant" and "Lease" in the RPMS.

A.40 Permit. A type of out-grant for a specific limited use.

A.41 Public-Private/Public-Public Ventures (PPVs). PPVs are out-grants of NASA real property to either private entities such as a company or organization or to a public entity such as a State or local government in which use and control of real property are provided to the tenant (whether private or public) for a set term of years for an agreed-upon rent payment.

A.42 Real Estate. For the purposes of this NPR, real estate refers to the ownership interests in real property and may include fee simple ownership, leasehold agreements, easements, licenses or permits, or reversionary rights.

A.43 Real Property. For the purposes of this NPR, real property means land, buildings, structures, other structures and facilities, and leasehold improvements. "Real property" also includes installed collateral equipment (i.e., building-type equipment) as defined in NPR 9250.1, Chapter 2 and the end items listed under Facilities Classification Code Group 630. Real property is capitalized when it has a unit acquisition cost of $100,000, has an estimated useful life of 2 or more years, is not intended for sale in the ordinary course of business, is intended to be used or available for use by NASA, and has an alternative use.

A.44 Real Property Accountable Officer. A Government employee designated by proper authority to be responsible for establishing records for and maintaining the real property charged to the accountable area or jurisdiction.

A.45 Real Property Management System (RPMS). NASA's automated method for recording, maintaining, and reporting real property data using the World Wide Web (restricted access). Information concerning every real property asset under NASA's management and control can be found in the RPMS. It contains information on the property itself, such as a brief description of the property, utilization of the property, and condition of the property. It also contains information on all real property transactions that take place or have taken place within NASA.

A.46 Real Property Under Management Control. The property for which NASA is the holding agency or for which NASA has custody and control.

A.47 Real Property Record File. The property record files managed by the RPAO at the Center that contain original and hard copies of real estate actions and includes, but is not limited to, NASA forms, drawings and plans, copies of deed, transfer agreements, and leases and other out-grants.

A.48 Relocatable Buildings. Buildings or other enclosed structures used as working space, shelter, or to store equipment and other personal property, and which are designed to be easily erected, dismantled, moved, and reused. This includes office/house trailers, prefabricated modular structures, tents, rigid and nonrigid inflatable structures, and similar structures. Specifically excluded from this definition are built-in-place, preengineered metal buildings, wood-frame buildings, and mobile equipment such as communications vans or trailers. Excluded structures and vehicles are acquired through the normal facility or equipment approval process, as appropriate.

A.49 Repair Project. Any project that keeps an asset in useable condition, including preventative maintenance, normal repairs, replacement of parts and structural components, and other activities needed to preserve the asset so that it continues to provide acceptable services and achieves its expected life. Repair projects exclude activities aimed at expanding the capacity of an asset or otherwise upgrading it to serve needs different from, or significantly greater than, those originally intended.

A.50 Scoring. An analysis relevant to in-lease of real property by NASA in which the in-lease is determined to be a capital lease or an operating lease. The determination drives whether the lease costs must all be budgeted in the first year of the in-lease or if they can be spread over the life of the in-lease. Discussed in Section 7.10.

A.51 Signing Official. A NASA employee delegated the responsibility to execute agreements for NASA.

A.52 Utilities Systems. Heating, sewage, water, and electrical systems that serve several buildings or other structures of an installation. When these systems serve a single building, the utility systems' costs are included in the cost of the building. Includes heating plants and related systems, gas lines, sewage plants, storm and sanitary sewer lines, water treatment plants, wells, pump houses, reservoirs, and pipelines. Also includes electrical substations, standby or auxiliary power plants, lighting structures, and conduits.

Terms Used in Space Classification and Measurement Definitions of Room and Space Types

A.53 Conference. Permanent conference space for periodic assembly, characterized by the basic ability to seat personnel, coupled with the required media or devices. Conference space integrated with executive offices will be reported as executive office space.

A.54 Executive Office/Suites. Office suites for Center Director, Deputy Center Director, and other senior managers which include reception and secretarial area, small conference space, and other administrative space directly associated with the executive's office.

A.55 Functional Categories. Space or open areas generally bound by the supporting walls of the structure.

A.56 Laboratory. Room or rooms in which electronic, chemistry, life sciences, medical, bioscience, physics, photographic, or other research, development, evaluation, or test activities are conducted. Laboratories are generally single-story rooms characterized by special utilities and built-in or portable instruments and equipment. Laboratory space may include small, incidental office areas (such as desk space).

A.57 Miscellaneous. Rooms or space in which activities, other than those previously classified, are conducted; include visitor information, reception, libraries, banks, cafeterias, concessions, security, fire protection, post office, and similar activities.

A.58 Office. Typically a single-story room with desks, tables, chairs, files, bookcases, and small, generally portable office, scientific, or test equipment in which management, administration, design engineering, and business activities are conducted. Office space includes circulation space integrated with secretarial offices.

A.59 Operational. Space for dedicated mission activities such as mission control or launch activity. Does not include office or conference spaces associated with mission activities.

A.60 Other Space. Space in buildings used by personnel other than civil servants and contractors. Includes subcontractors and employees of independent organizations (retail, services, etc.) or armed services personnel not assigned to NASA; also academia.

A.61 Room. Interior space enclosed by walls and/or partitions and separated from other similar spaces.

A.62 Shop-Industrial. Space in which carpentry, electrical, plumbing, electronic, welding, metalworking, or other trades are conducted. This includes maintenance, fabrication, manufacturing, or repair activities. Shop-industrial space is characterized by conventional machines and equipment peculiar to the shop or industrial environment. Shop-industrial space may include small, incidental office areas.

A.63 Storage. Rooms or space in which files, film, tapes, supplies, or equipment not in use are stored; includes stock, warehousing, and shipping and receiving activities.

A.64 Storage - Administrative. Rooms or space in which files, film, tapes, or supplies are stored.

A.65 Storage - Warehouse. Rooms or space where equipment not in use is stored; includes stock, warehousing, and shipping and receiving activities.

A.66 Technical. Space in which assembly, instrumentation, test, checkout, launch, control, data reduction, computer, calibration, or similar activities are conducted. Technical space is frequently characterized by multistory or high-bay features and large, installed, and often sophisticated equipment. Technical space may include small, incidental office areas.

A.67 Training. Space dedicated to classes for training personnel to improve mission support and performance.

A.68 Transient. Space for personnel that is not permanently assigned to the Center but for whom space is required on a recurring, periodic basis. This includes space for personnel such as astronauts and visiting scientists. Designation of space as transient requires Headquarters approval. The space is generally used for offices or administrative functions.

Terms Used to Report Area Measurements

A.69 Gross Area. The sum of the floor areas included within the outside faces of exterior walls for all stories or areas that have floor surfaces. Although gross area is not in the FUP, the following basis for measurement is established in the event this type of information is required to support special project needs or to more easily determine net usable areas:

- Gross area is computed by measuring the perimeter of exterior walls, disregarding cornices, pilasters, and buttresses that extend beyond the wall face.

- Gross area includes basements (except unexcavated portions), floored attics, garages, enclosed porches, penthouses and mechanical equipment floors, lobbies, mezzanines, all balconies (inside or outside) utilized for operational functions, and main/common corridors, provided they are within the outside face lines of the building. Roofed loading or shipping platforms will be included whether within or outside the exterior face lines of the building.
- Open courts and light wells, or portions of upper floors eliminated by rooms or lobbies, that rise above single-floor ceiling height, will not be included in the gross area, nor will unenclosed roofed-over areas or floored surfaces with less than 6 feet, 6 inches clear headroom be included, unless they can be designated properly and used as either net usable, mechanical, circulation, or custodial areas.

A.70 Gross Area Classifications for Construction Areas. That portion of the gross area that cannot be put to use because of the presence of structural features of the building. Precise computation of construction area is not contemplated under these definitions since some construction features are included in the computation of other areas. However, total construction area will be determined by assuming it to be the residual area after the net usable, circulation, custodial, and mechanical areas have been subtracted from the gross area. Examples of features normally classified as construction areas include exterior walls, firewalls, partitions, and unusable areas in attics, basements, or comparable portions of the building.

A.71 Gross Area Classifications for Custodial Areas. The sum of all areas on all floors of a building used for building protection, care, maintenance, and operation.

- Custodial area includes such areas as janitors' locker rooms, closets and storerooms, and building maintenance and operating engineer control areas.
- Custodial area is computed by measuring from face to face of enclosing walls.

A.72 Gross Area Classifications for Mechanical Areas. That portion of the gross area designed to house mechanical equipment, utility services, and nonprivate toilet facilities.

- Mechanical area includes, but is not limited to, air duct shafts, boiler rooms, fixed mechanical and electrical equipment rooms, fuel rooms, mechanical service shafts, meter and communications closets, service chutes, stacks, and nonprivate toilet rooms (custodial and public). No adjustments are made for minor projections or alcoves that may distort the net usable area of the building.
- Mechanical area is computed by measuring from face to face of the walls, partitions, or screens enclosing the area.

A.73 Net Usable Area. The sum of all areas on all floors of a building comprising all functional categories (e.g., civil service, contractor) usable by and assignable to an occupant.

- Net Usable Area includes auditoriums, computer rooms, cafeterias, concessions, conference rooms (joint use), credit union offices, garages, health units and first aid rooms, kitchens, loading platforms, telephone operator areas, and telegraph operator rooms.
- The areas excluded from the Net Usable Area consist of custodial, circulation, mechanical, and construction areas.
- The Net Usable Area will be computed by measuring from face to face of the walls or partitions enclosing the area. When walls or partitions do not enclose areas of the functional categories, measurements will be taken to an assumed line that separates the spaces. No adjustments are made for minor projections or alcoves that would distort the Net Usable Area of the building.

A.74 Total Allocated Net Usable Area. The enclosed Net Usable Area of a building, excluding custodial, circulation, mechanical, and construction areas, measured in square feet.

Appendix B. Acronyms

ACHP	(President's) Advisory Council on Historic Preservation
ADP	Automated Data Processing
ARC	Ames Research Center
BCI	Building Cost Index
BEA	Budget Enforcement Act
CECR	Construction and Environmental Compliance and Remediation
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CFO	Chief Financial Officer
CMO	Center Management and Operations
CO	Contracting Officer
COTR	Contracting Officer's Technical Representative
CRV	Current Replacement Value
DCFO (F)	Deputy Chief Financial Officer, Finance
DM	Deferred Maintenance
DoD	Department of Defense
EBS	Environmental Baseline Survey
ECONPACK	Economic Analysis Package software
EO	Executive Order
EPA	Environmental Protection Agency
EUL	Enhanced Use Lease
FAA	Federal Aviation Administration
FAR	Federal Acquisition Regulations
FASAB	Federal Accounting Standards Advisory Board
FCC	Federal Communications Commission
FERP	Facilities Engineering and Real Property
FMO	Financial Management Office

FMR	Federal Management Regulations (GSA)
FO	Fiscal Officer
FPM	Facility Project Manager
FRPC	Federal Real Property Council
FRPP	Federal Real Property Profile
FUO	Facilities Utilization Officer
FUP	Facilities Utilization Program
FURB	Facility Utilization Review Board
GAO	Government Accountability Office
GSA	General Services Administration
HUD	Department of Housing and Urban Development
IPCE	Office of Independent Program and Cost Evaluation
JPL	Jet Propulsion Laboratory
KSC	Kennedy Space Center
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NAII	NASA Advisory Implementing Instruction
NASA	National Aeronautics and Space Administration
NBI	National Bridges Inventory
NEPA	National Environmental Policy Act
NMO-JPL	NASA Management Office - Jet Propulsion Laboratory
NHPA	National Historic Preservation Act
NODIS	NASA Online Directives Information System
NPD	NASA Policy Directive
NPR	NASA Procedural Requirement
NTIA	National Telecommunications and Information Administration
O&M	Operations and Maintenance
OCFO	Office of the Chief Financial Officer
OMB	Office of Management and Budget
OPII	Office of Program and Institutional Integration

PAPAC	Provides Aerospace Products and Capabilities
PBC	Public Benefit Conveyance
PCB	Polychlorinated Biphenyl
PP&E	Property, Plant, and Equipment
PPBE	Planning, Programming, Budgeting, and Execution
PPV	Public-Private/Public-Public Venture
RCRA	Resource Conservation and Recovery Act
RDA	Rural Development Act of 1972
RPAO	Real Property Accountable Officer
RPMS	Real Property Management System
SAA	Space Act Agreement
SAAM	Space Act Agreement Maker
SAP	Systems Applications and Products
SF	Standard Form
SHPO	State Historic Preservation Officer
SMA	Safety and Mission Assurance
TART	Terminal Area Research Test
USACE	U. S. Army Corps of Engineers
USC	United States Code
WIP	Work in Progress

Appendix C. References

a. NPD 1800.2, NASA Occupational Health Program.

b. NPR 1800.1, NASA Occupational Health Program Procedures.